



END

OF

BOLT

POST OFFICE

Roll.

FIELD No. 3272

| Dawes' Roll No. | NAME. | Relation-ship to Person first Named | AGE | SEX | BLOOD | TRIBAL ENROLLMENT. | | | TRIBAL ENROLLMENT OF PARENTS. | | | | | |
|-----------------|---------------|-------------------------------------|-----|-----|-------|--------------------|-----------|-----|-------------------------------|-------|-----------|-----------------|-------|-----------|
| | | | | | | Year. | District. | No. | Name of Father. | Year. | District. | Name of Mother. | Year. | District. |
| 1 | James Plummer | | | | | 1880 | Seaboard | 257 | Atas | | Seaboard | Atas | | Seaboard |
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1880 on 1882 - Dan Ross No 257
Not listed on Roll of 1880
1 first April 1880
Proof of birth attached

2/3/1880

3 of 3

Cr. No. 203.

Washoe, Indian Territory, March 14, 1907.

Columbus Love,

Washoe, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior under date of March 2, 1907, affirmed the decision of the Commissioner to the Five Civilized Tribes, denying the application for the enrollment of Number Love, deceased, as a citizen by blood of the Creek nation.

Respectfully,

Commissioner.

LM

1.P.
2.P.

DEPARTMENT OF THE INTERIOR
WASHINGTON

I.T.D.

6810, 6806, 6816, 6886, 6758-1907.
6744, 6748, 6750, 6752, 6754-
6784, 6802, 6804, 6810, 6824-
6846, 6876, 7014-

March 2, 1907.

LRS

DIRECT.

Commissioner to the Five Civilized Tribes,

Washburn, Indian Territory.

Sir:

Your decision in the following Greek citizenship

cases adverse to the applicants are hereby affirmed.

Copies of Indian Office letters admitting your reports
and recommending that the decisions be affirmed are inclosed:

| Title of Case. | Date of your letter of transmittal. |
|--|--|
| Isabel Grayson (Freedman) | February 18, 1907. |
| Isabel Grayson (Freedman) | February 7, 1907. |
| Isabel Grayson (Freedman) | February 13, 1907. |
| Oliver Wilford | February 16, 1907. |
| Thomas M. Coker | February 16, 1907. |
| Johnny Potter (Freedman) | February 16, 1907. |
| William H. Hardidge (deceased) | February 16, 1907. |
| Theodore Hawkins (Freedman) | February 16, 1907. |
| Amy Franklin et al. (Freedman, deceased) | February 16, 1907. |
| Jennie Myers (Freedman) | February 13, 1907. |
| Alfred Mayfield (deceased) | February 14, 1907. |
| Alice McQuay (Freedman) | February 15, 1907. |
| Patricia Scott (Freedman, deceased) | February 14, 1907. |
| Lutie McKinnon | February 14, 1907. |
| Washington McIntosh (Freedman, deceased) | February 22, 1907. |
| Roman Johnson et al. | February 22, 1907. |
| Spencer Thomas, et al. (Freedman) | February 22, 1907. |
| Thomas Jones (deceased) | February 22, 1907. |

A copy heretofore and the papers in the above mentioned
cases have been sent to the Indian Office for its files.

Respectfully,

(Signed) James H. Wilson,

Assistant Secretary.

is inc. and
to be ind. of
the
1-1-07.

COPY

Refer in reply to the following:
Land 20394-1907.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

March 1, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed report of Commissioner Bixby dated February 23, 1907, transmitting the record in the matter of the application for the enrollment of Number Two, deceased, as a citizen by blood of the Creek Nation, together with the Commissioner's decision of February 23, 1907, denying the

application.

A careful examination of the record has been made, and it is believed that the Commissioner's decision is correct. Its approval is recommended.

Very respectfully,

G. F. Larrabee,

Acting Commissioner.

GAW-W

Cr. No. 807.

Minakogee, Indian Territory, February 22, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application for the enrollment of Number Two, deceased, as a citizen by blood of the Creek Nation, including the decision of the Commissioner to the Five Civilized Tribes, denying said application.

Respectfully,

Commissioner.

LM-446.

Through the Commissioner
of Indian Affairs.

Gr. H. 907.

Muskogee, Indian Territory, February 22, 1907.

M. I. Holt,

Attorney for Creek Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Number Two, deceased, as a citizen by blood of the Creek Nation, denying said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

IM-448.

Gr. No. 903.

Muskogee, Indian Territory, February 22, 1907.

Columbia Iowa,

Wetumka, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Number Iowa, deceased, as a citizen by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

Register.
IM-444:

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

En. 903.

Wetumka, Indian Territory, April 19, 1906.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

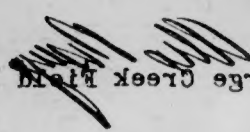
There is enclosed herewith the testimony of Columbus Lowe, taken April 11, 1906, in the matter of the application for the enrollment of Number Lowe, deceased, as a citizen by blood of the

Creek Nation.

The testimony of Wash and Jackson Lowe, which is desired

in this case, will follow as soon as same can be secured.

Respectfully,


In Charge Creek Field Party.

13881

APR 20 1906

No. 13881

COMMISSIONER OF THE

INDEXED

Bosey, Alex.
Wetumpka, T. P.
Creek Nation
Apr. 20, 1906.

Creek Nation.
enrollment as a citizen of the
of Number Two, held for
certain persons to be application
Tennessee testimony of

18W
CM

Gr. No. 902.

COMMISSIONER TO THE NINE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

Number Lowe, deceased, as a citizen by blood of the Creek Nation.
In the matter of the application for the enrollment of

D E C I S I O N .

The record in this case shows that application, in affidavit form, executed May 16, 1901, was made for the enrollment of Number Lowe as a citizen by blood of the Creek Nation. Supplemental affidavit was filed in this case December 7, 1901. Further proceedings were had November 10, 1904 and April 11, 1906.

It appears from the evidence and the records in the possession of this office that said Number Lowe is identified on the 1890 authenticated tribal roll of the Creek Nation, Tuck- Apache Town, opposite No. 2 on Page 227, and on the 1895 pay roll of said nation, Tuck Apache Town, opposite No. 29. The evidence is contradictory as to the date of death of said applicant, but the weight of said evidence establishes said date as sometime prior to April 1, 1892. It is, therefore, ordered and adjudged that said Number Lowe is not entitled to be enrolled as a citizen by blood of the Creek Nation, and the application for his enrollment as such is accordingly denied.

COMMISSIONER.

Muskogee, Indian Territory.

FEB 23 1907

Ex. 903.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE RIVER CIVILIZED TRIBES.
Bernard, I. T., April 11, 1906.

In the matter of the application for the enrollment of Number
Lowe, deceased, as a citizen by blood of the Creek Nation.
COLUMBUS LOWE, being duly sworn, testified as follows:

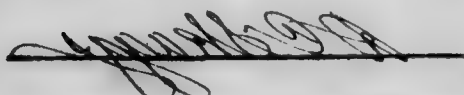
Through Alex Posey official interpreter:

BY THE COMMISSIONER:

Q What is your name? A Columbus Lowe.
Q How old are you? A About twenty-three.
Q What is your post office address? A Wetumka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q Do you know Number Lowe? A Yes, sir.
Q What relation was he to you? A My first cousin.
Q Do you know when he died? A He will have been dead ten years
next December. He died in the year the section lines were establish-
ed in this part of the country.
Q You are positive of that are you? A Yes, sir.
Q There is on file in the office of the Commissioner an affidavit
executed by yourself and Jackson Lowe, May 16, 1901, stating that
Number Lowe died April 15, 1900? A That affidavit is wrong. I
signed the affidavit but it was not read to me and I didn't know
what date was given. I thought the affidavit simply stated that
Number Lowe was dead and did not know that any date was given. I
refused to sign the affidavit at first but they insisted and I signed
it. I was not asked the date of his death. I know he died in Decem-
ber, just after Christmas, and that he will have been dead ten years
next December.

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I, D. G. Skaggs, do hereby state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.



Subscribed and sworn to before me this 17 day of April, 1906.


Notary Public.

0.2276.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
Wolfeboro, N. H., November 10, 1904.

In the matter of the application for the enrollment of Number
Lowe as a citizen and by blood of the Greek Nation.
D. A. Barnette, being duly sworn, testified as follows:
Through Alex Poney Official Interpreter:

BY COMMISSIONER:
Q What is your name? A D. A. Barnette.
Q How old are you? A About fifty.
Q What is your post office address? A Barnard.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Wolfeboro, New Hampshire.
Q Did you know Number Lowe? A Yes, sir.
Q Is he living? A He is dead.
Q How long has he been dead? A He died about five years before the
Greek Land Office opened.
Q Are you positive that he died before the Greek Land Office opened?
A Yes, sir.

-----:OP-----

I, D. C. Shaker, on oath state that the above and foregoing is a
true and correct transcript of my stenographic notes as taken in said
examination on said date.

Subscribed and sworn to before me this 11 day of February, 1905.

Robert J. [Signature]
Notary Public.

C. 2376.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 10, 1904.

In the matter of the application for the enrollment of Number
Lowe as a citizen by blood of the Creek Nation.

D. A. BARNETT, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A D. A. Barnett.
Q How old are you? A Fifty.
Q What is your post office address? A Bernard.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Muskogee, Canadian.
Q Did you know Number Lowe? A Yes, sir.
Q Is he living? A He is dead.
Q How long has he been dead? A He died about five years before the
Greek Land Office opened.
Q Are you positive that he died before the Greek Land Office opened?
A Yes, sir.

-----000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 18 day of November, 1904.

Notary Public.

CR EN 203

CR EN 203

Gr. En. 908

Muskogee, Indian Territory, September 30, 1908.

Helia Jackson,
Care Simon Jackson,
Garson, Indian Territory.

Dear Sir:

You are advised that the name of your minor child, Simon Jackson, is contained in the partial list of citizens by blood of the Creek Nation approved by the Secretary of the Interior September 21, 1908, and that application for a selection of land in the Creek Nation may now be made for said child at the office of the Commissioner to the Five Civilized Tribes, in Muskogee, Indian Territory.

Respectfully,

Commissioner.

200 22 200

Washington, Indian Territory, June 11, 1900.

J. I. Pratt,

Attorney for the Creek Nation,
Washington, Indian Territory.

Sir:

There is herewith enclosed one copy of the resolution of the
Commission to the Five Civilized Tribes in the matter of the ap-
plication for the enrollment of Simon Jackson as a citizen by
blood of the Creek Nation.
You are hereby notified that the Creek Nation will be al-
lowed fifteen days from date hereof within which to file protest
against said decision, and if, at the expiration of that time, no
protest has been filed, said Simon Jackson will be regularly
listed for enrollment as a citizen by blood of the Creek Nation.
Respectfully,

Chairman.

JY-13-4

1011-18

| |
|---------------------------------|
| WRITE IN REPLY TO THE FOLLOWING |
| |
| |
| |

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. E. BERGEVIN,
WM. O. REALL,
Secretary.

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

Muskogee, Indian Territory, November 14, 1904.

Commission to the Five Civilized Tribes,
Greek Enrollment Division,
Muskogee, Indian Territory.

Gentlemen:-

Receipt is hereby acknowledged of your letter of November 11, 1904, in which you state that Hannah and her child Chebarney are listed from information on Greek Indian card, field number 3834. You enclose a copy of testimony taken in this matter October 24, 1904, and ask to be advised if application has been made for enrollment of either of these persons as citizens of the Choctaw Nation. In reply to your letter you are informed that it does not appear from the records of this Division that application has been made to the Commission for Hannah or her child Chebarney as citizens of the Choctaw Nation.

Respectfully,

Chairman.

288
C. 3334

Muskogee, Indian Territory, November 11, 1904.

Commission to the Five Civilized Tribes,
Choctaw-Chickasaw Enrollment Division.

Gentlemen:

Hannah and her child, Chepurney, are listed from information
on Creek Indian card field No. 3334; testimony in the matter was taken

October 2, 1904. It appears that these persons, if living, are now
residing in the Choctaw Nation. A copy of the testimony is inclosed.

You are requested to advise the Creek Enrollment Division
whether application has been made for the enrollment of these persons,
or either of them, as citizens of the Choctaw Nation, and if such ap-
plication has been made, the present status of the case.

Respectfully,

Chairman.

HCH-1-11-11

E.C.G.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

En. 902.

-00000-

In the matter of the application for the enrollment of Simon Jackson as a citizen by blood of the Creek Nation.

:- D E C I S I O N :-

The record in this case shows that on May 24, 1901, the names of Hannah and Chepurne were listed for enrollment as citizens by blood of the Creek Nation on Creek Indian Card, Field Number 3334. Further proceedings were had October 24, November 7, 1904, and January 24, 1905. Chepurne is the only person considered in this decision. It appears from the evidence that Simon Jackson and Chepurne are one and the same person, the applicant will hereafter be considered under the name of Simon Jackson. It appears from the evidence that said Simon Jackson is identified on the 1895 Omitted Pay Roll of the Creek Nation as Chepurne, and that he was living at the date of the testimony taken hereon. The evidence further shows that said applicant has resided in Indian Territory all his life. It is, therefore, the opinion of the Commission that said Simon Jackson should be enrolled as a citizen by blood of the Creek Nation in accordance with the provisions of the acts of Congress, June 28, 1898 (30 Stats., 492) and March 1, 1901 (31 Stats., 861), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Neakosee, Indian Territory.

JUN 14 1905

new

EN 305

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Hannah
and Chepame as citizens by blood of the Creek Nation.

SUPPLEMENTAL STATEMENT.

The records of the Commission examined and the name of
Chepame is found on the 1895 Omitted Pay Roll of the Creek Nation.
Page 2 1/2, Alabama Town.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

[Signature]
Commissioner.

Muskogee, Indian Territory.

C. 3334.---3.

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 6 day of February, 1905.

Wm. H. Skaggs
Notary Public.

SELANIE, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Selanie.
Q How old are you? A I do not know how old I am.

Witness appears to be about fifty years old.

Q What is your post office address? A Hanna.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Quasarte.
Q Do you know Hannah and Cheparne? A Yes, sir.
Q Was Cheparne any other name? A He is now known as Simon Jackson.
Q To what town does he belong? A Alabama.
Q What relation was Hannah to Cheparne? A Grandmother.
Q She is dead is she? A Yes, sir.
Q When did Hannah die? A I do not know but she has been dead many years. She died somewhere in the Choctaw Nation.
Q Did she and Cheparne draw money during the \$14.00 Payments? A Yes, sir.
Q How long after the \$14.00 Payment did Hannah die? A About the second year after the Payment.
Q What was the name of Cheparne's mother? A Selanie.
Q Did she have any other name? A I do not think so. She may have been known as Jane Mickey.
Q How long has she been dead? A She died before Hanna died.
Q Who was Cheparne's father? A Helia Jackson.
Q Was he ever known by any other name? A Helia Jackson is the only name but which I knew him.
Q How long has he been dead? A About six years.
Q What relation is Cheparne to you? A I am his grandmother.
Q How old is Cheparne? A He is about eighteen.
Q Has he any other relatives living in the Choctaw Nation? A He has a half sister living in the Choctaw Nation. She is a citizen of the Choctaw Nation, her mother being a Choctaw. He has no other relatives down there that I know of. He has some relatives living in Alabama Town, Cuba and Tofia Harjo's wife, who is his aunt.
Q Do you know whether or not land has been selected for Cheparne? A No, sir, I do not think there has. If any one has made selection of land for him I have never heard of it.
Q How long has he been living with you? A He has been living with me ever since Hannah died.
Q Do you know whether or not he was enrolled in Alabama Town as Cheparne or Simon Jackson? A I think he was enrolled as Cheparne but I am not certain under what name he was enrolled. He was always known as Cheparne.
Q How long has Cheparne been back from the Choctaw Nation? A I do not know but he was a small boy.
Q Did he return to the Creek Nation immediately after the death of Hannah? A Yes, sir.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Did Cheparne return to the Creek Nation before or after the Creek Land Office opened? A He returned long before the land office opened and before people thought about allotment.
Q Had the section lines been opened when he returned? A He returned to the Creek Nation just about the time the section lines were raised.
Q Hannah was dead at that time was she? A Yes, sir.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Carson, I. T., January 24, 1906.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Hannah and Chepene as citizens by blood of the Creek
Nation.

Simon Jackson, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Simon Jackson.
Q How old are you? A I do not know my age.

Witness appears to be about eighteen years of age.

Q What is your post office address? A I have not post office
address. (Carson)

Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Alabama.

Q Were you ever known as Chepene? A Yes, sir.

Q Are you ever known by any other name? A No, sir.

Q Who was your mother? A Jane.

Q Who was your father? A Helia Jackson. He was known in his town
by an Indian name but I have forgotten it.

Q Did you know Hannah? A Yes, sir.

Q What relation was she to you? A She was my grandmother.

Q Is she living? A She is dead.

Q When did she die? A She died while I was quite small.

Q Where did she die? A In the Choctaw Nation, near Coalgate.

Q Did you and your grandmother, Hannah, draw money during the \$14.00
payment? A Yes, sir, we came here from the Choctaw Nation and drew

our money.

Q How long after you drew your money did Hannah die? A I do
not know how long it was after--I do not know when she died, but it

has been a long time. I came back to the Creek Nation right after
she died.

Q How long have you been back to the Creek Nation? A I have been
back here about nine years.

Q Did you come back alone from the Choctaw Nation? A Yes, sir.

Q Have you any relatives living in the Choctaw Nation? A I have a
half sister living in the Choctaw Nation.

Q What is her name? A Her name is Ellen.

Q Who was her mother? A A Choctaw woman. She is enrolled as a
citizen of the Choctaw Nation.

Q Have you any other relatives living in the Choctaw Nation? A I
think not. I think I have an aunt living in the Choctaw Nation but

I do not know what her name is.

Q Have you any relatives living in Alabama town? A Gupbe is the only
relative I have living there.

Q What relation is he to you? A He is my uncle.

Q Have you made selection of land for yourself? A No, sir, I made
no selection of land for myself and do not know whether I have been

filed or not.

Q With whom are you living? A Helina.

Q Is she any kin to you? A She is my grandmother.

Q How long did you live in the Choctaw Nation? A I think I was born
there.

Q Were you raised there? A Yes, sir.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 7, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Hannah and Chepaine as citizens by blood of the Creek
Nation.

TOKIS HARJO, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

Q By Commission:
Q What is your name? A Tokis Harjo.
Q How old are you? A About sixty-one.
Q What is your post office address? A Wesley.
Q Are you a member of the House of Warriors for Alabama Town? A
Yes, sir.
Q Did you ever know a member of your town by the name of Hannah?
A Hannah is the sister of Gubbe Jacob.
Q Is she living? A She is dead.
Q How long has she been dead? A She has been dead a long time.
Q Did she die before or after the opening of the Creek Land Office?
A I do not know. I heard a long time ago that she was dead.
Q Where was she living at the time of her death? A In the Choctaw
Nation.
Q Did she ever have any other name? A No, sir.
Q Did she ever live in the Creek Nation? A No, sir, I do not
know where she was born but she always lived in the Choctaw Nation.
Q Did she ever have any children? A She has a son living.
Q What is his name? A I do not know.
Q Where is he living? A He is living with an old woman named
Salina in Pukkon Tullahasse Town.
Q About how old is that boy? A He is probably a young man.
Q Do you know whether land has been selected for him in the Creek
Nation? A No, sir.
Q Did you ever know a member of your town named Chepaine? A
Chepaine is perhaps the same boy that I spoke of but I cannot be
positive.
Q What is Chepaine's post office address? A If he gets mail at
all he gets it at Dustin. I do not think he ever goes to the post
office.
Q How far does he live from Dustin? A About ten miles south of
Dustin.

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I, D. C. Sparks, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

[Signature]

Subscribed and sworn to before me this 15 day of November, 1904.

[Signature]
Notary Public.

C. 3334-----2.

Hannah and Chepman are identified on the 1895 Omitted
Roll at Page No. 2-1/2.

-----000000-----

I, D. C. Keesee, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

D. C. Keesee

Subscribed and sworn to before me this *14* day of *May* 1904.

Charles W. Sawyer
Notary Public

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., October 24, 1904.

In the matter of the application for the enrollment of Hannah and Chepney as citizens by blood of the Creek Nation.

JOHN BAKER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A John Baker.
Q How old are you? A Between forty-eight and forty-nine.
Q What is your post office address? A Weleeka.
Q Did you know Hannah? A I do not know Hannah.
Q Did you know a woman of your town living in the Choctaw Nation, named Annie? A Only knew of them.
Q Were you the Town King of Alabama Town when the \$14.00 Payment was made? A Yes, sir.
Q I find on that roll the names Hannah and Chepney. State whether you know anything about these parties? A Hannah is related to Guppy who lives in Alabama Town. She has been living in the Choctaw Nation for a long while.
Q About how many years has she been living in the Choctaw Nation? A Guppy had a number of relatives living in the Choctaw Nation. They lived there a long while and at the time of the \$14.00 Payment I heard that only two of the family were left and that was Hannah and her child and I named the child Chepney. I have learned nothing about them since.
Q As I understand you, you did not know the name of the child and you had it enrolled by the name of Chepney? A Yes, sir.

JOHN DAVIS, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A John Davis.
Q How old are you? A I do not know my age.
Q What is your post office address? A Wetumka.
Q Are you a member of Alabama Town? A Yes, sir.
Q Do you know anything about Hannah and Chepney? A I knew her many years ago.
Q Was she married at that time? A Yes, sir.
Q What was the name of her husband? A I do not remember.
Q Was he a Choctaw or a Creek Indian? A Choctaw.
Q Do you know where he lives in the Choctaw Nation? A Some where near Bogie Deepfork. It has been so long that they have gone almost entirely out of my recollection.
Q What is the name of Hannah's father? A I do not know her father.
Q What is the name of her mother? A I do not know.
Q Did Hannah ever live in the Creek Nation? A She has always lived in the Choctaw Nation. Born and raised there.
Q Have you heard anything of her in the last few years? A No, sir.
Q You do not know whether she is living or dead? A I do not know whether she is living or dead. She was a young woman at the time I knew her.
Q Is she part Choctaw and part Creek or a full-blood Creek? A She is a full-blood Alabama.

CR EN 905

CR EN 905

No. 901

Muskogee, Indian Territory, October 24, 1905.

Chief Clerk,

Greek Land Office.

Dear Sir:

Under date of October 14, 1905, the Department reconsidered its action of February 1, 1905, reopening the matter of the right to enrollment as Greek freedmen or Rachel Turner, Annie Turner, Frances Turner, Clarence Turner and Jerry Turner and directed that their enrollment as such, opposite numbers 4549, 4550, 4551, 4552 and 4553, be allowed to stand. You are hereby notified that no question is now pending before this office affecting the right to enrollment of said persons and you may proceed in the usual manner in the matter of making allotment of lands in the Greek Nation to said

persons.

Respectfully,

Commissioner.

W. 901

Muskogee, Indian Territory, October 24, 1905.

Rachel Turner,

Muskogee, Indian Territory.

Dear Madam:

You are hereby notified that under date of October 14, 1905, the Department rescinded its action of February 1, 1905, reopening the matter of the right to enrollment of yourself and your children, Annie, Frances, Clarence and Jerry Turner as Creek freedmen, and directed that the enrollment of yourself and your said children as such, be allowed to stand.

Respectfully,

Commissioner.

Rn.901

Muskogee, Indian Territory, October 24, 1905.

Muskogee, Indian Territory.
Attorney for Creek Nation,
M. L. Mott,

Dear Sir:

You are hereby notified that under date of October 14,
1905, the Department rescinded its action of February 1, 1905,
reopening the matter of the right to enrollment of Rachel
Turner and her children, Annie, Frances, Clarence and Jerry
Turner as Creek freedmen, and directed that their enrollment
as such be allowed to stand.
Respectfully,

Commissioner.

COPY

Refer in reply to the following

47783-1905

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS
WASHINGTON, October 2, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letter of February 1, 1905 (I.T.D. 922-1905) I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated June 17, 1905, in the matter of the enrollment as Creek freedmen of Rachel Turner et al., recommending that their enrollment be allowed to stand. This case appears to have been reopened on motion of the Creek Nation but it further appears that that Nation has taken no further action, entered its appearance nor submitted any evidence in the matter during the rehearing. The record shows that the principal applicant was about 32 years of age in March 1905; that she is no the descendant of a person whose name appears on the Dunn roll; that Annie, Frances, Clarence and Jerry Turner are the minor children of Rachel Turner and of Lee Turner, a non-citizen; that Rachel Turner's name appears on the 1891 Omitted Roll of the Creek Nation but no other roll; that the names of her minor children are not found on any roll, and that Annie Turner is dead. It further appears that in 1895 the name of Rachel Turner was stricken from the rolls of the Creek Nation as doubtful by the Committee of Nineteen; that the Committee was authorized by Acts of the Creek Council to strike from the rolls names of persons found to be non-citizens; that the act of the committee in striking the name of Rachel Turner from the rolls was approved by the Council on June 8, 1895. It does not appear that the applicants have, since June 8, 1895, ever been enrolled or admitted to citizenship by any tribal authority of the Creek Nation or by any United States tribunal. Following the ruling of the Department of April 15, 1905 (I.T.D. 3134-1905) in the case of Rachel Turner et al., I am now in the recommendation of the Commission that the enrollment as Creek freedmen of Rachel Turner, Frances Turner, Clarence Turner and Jerry Turner, opposite roll numbers 4543, 4550, 4551 and 4552 respectively be allowed to stand. Very respectfully, J. L. Jones, Acting Commissioner.

I inclosure.

Secretary
RA Hitchcock

Respectfully,
1905, is hereby rescinded.

The Department also concurring, its action of February 1, concurs in said recommendation. A copy of its letter is inclosed. Reporting in the matter October 2, 1905, the Indian Office allowed to stand.

Commission recommended that the enrollment of said applicants be of April 15, 1905, in the case of Frank London, et al., the after due notice. Referring to the action of the Department

further testimony, but no appearance was made by the Creek Nation Rachel Turner appeared March 1 and April 3, 1905, and submitted The Commission to the Five Civilized Tribes reported that

Greek Nation, the Department reopened the matter.

On February 1, 1905, upon request of the attorney for the 28, 1905.

partial roll of Creek freedmen approved by the Department March Frances, Clarence and Jerry Turner, whose names appear upon the Creek enrollment case of Rachel Turner and her children, Annie, to the Five Civilized Tribes, of June 17, 1905, relative to the The Department is in receipt of a letter of the Commission

Muskogee, Indian Territory.
Commissioner to the Five Civilized Tribes,

ITD 13222-1905

WASHINGTON. October 14, 1905.
DEPARTMENT OF THE INTERIOR,
JP

THE

Secretary &

A copy of the record in the case is enclosed.

Respectfully,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Through the
Commissioner of Indian Affairs.

W-I-MYI

them, ever been admitted to citizenship in said Nation subsequent to said date by the Creek tribal authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory, nor does it appear that the applicants, or any of them, have ever been recognized by any legally constituted authority as having Creek blood, nor that they, or any of them, are the descendants of a person who was so recognized.

In the Creek case of Frank London, et al., the Department

ruled (1.T.D.3194-1905):

"If the applicants are otherwise entitled to be enrolled as citizens of the Creek Nation, the striking of their names from the 1895 roll by the Committee of Fifteen does not affect their rights."

Following the ruling of the Department in said case of Frank London, et al., it is respectfully recommended that the enrollment as Creek Freedmen of said Richard Turner, Annie Turner, deceased, Frances Turner, Clarence Turner and Jerry Turner, opposite roll numbers 4562, 4563, 4564, 4565 and 4566, respectively, be allowed to stand.

years old in March, 1865; that she is not the descendant of a person whose name appears on the roll of Greek freedom made by J. W. Mann prior to March 14, 1867; that said Annie, Frances, Clarence and Jerry Turner are the minor children of said Michael Turner and of Joe Turner, a non-citizen; that the name of said Michael Turner appears on the 1891 omitted roll of the Greek Nation, and on no other roll of citizens of said Nation in the possession of the Commission; that the name of her said minor children do not appear on any roll in the possession of the Commission, and that said Annie Turner is now dead.

It further appears that the name of said Michael Turner was in the year 1895, stricken from the rolls of the Greek Nation as doubtful, by the Committee of Eighteen; that said Committee of Eighteen was authorized by Acts of the Greek Council, approved May 15 and May 17, 1895, to strike from said rolls names of persons found to be non-citizens; that the Acts of said Committee of Eighteen were subject to the approval of the National Council, and that its action, in striking the name of Michael Turner from the rolls, was, on June 8, 1895, so approved.

It does not appear from the evidence that the applicants, or any of them, have, subsequent to June 8, 1895, ever been enrolled as citizens of the Greek Nation, nor have they, or any of

2.2

or in 1901

Muskogee, Indian Territory, June 17, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

February 1, 1905 (I.T.D. 922-1905), the Department, on motions of the attorney for the Creek Nation, reopened the matter of the enrollment of Michael Turner and her minor children, Annie, Tennessee, Clarence and Jerry Turner, whose names appear on the partial roll of these Freedmen approved by the Department March 28, 1902, opposite numbers 4549 to 4553, inclusive. February 8, 1905, Michael Turner and the attorney for the Creek Nation were informed of the action of the Department, and were notified that on March 1, 1905, the Commission, at its office, in Muskogee, Indian Territory, would hear such evidence as they might desire to submit relative to the right to enrollment of said Michael Turner, et al. March 1 and April 6, 1905, Michael Turner appeared before the Commission and submitted evidence in said case. No appearance was made by the Creek Nation. A copy of the testimony of May 8, 1905, in the matter of the application for the enrollment of Michael Moore, et al., is made part of the record herein. The evidence shows that said Michael Turner was about 25

En 201

(Copy)

Knapogee, Indian Territory, February 8, 1906.

Respectfully,

Knapogee, Indian Territory.

Dear Madam:

February 1, 1906, the Department requested the matter of the right to enrollment of yourself and your children, Annie, Francis,

Glenn and Jerry, as citizens of the Creek Nation, on motion of

the attorney for the Creek Nation.

You are hereby notified that on March 1, 1906, the Commission

will, at its office in Knapogee, Indian Territory, receive such

evidence as you may desire to submit relative to the right to en-

rollment of yourself and your said children as citizens of the

Creek Nation.

At the same time and place the Creek Nation will be allowed

to introduce evidence in the case.

Respectfully,

Chairman.

Register.

Said motions, and a copy of the Acting Commissioner's
letter are inclosed herewith.

Respectfully,

(Signed) Thos. Ryan

Acting Secretary.

6 inclosures.

1 P.

(COPY)

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

February 1, 1908.
WHE.

D.C. 5818-1908.
I.T.D. 923-1908.
IRS.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

On the partial roll of Creek Freedmen approved by the
Department March 28, 1902, appear the names of Rachael, Annie,
Frances, Clarence and Jerry Turner, numbers 4542 to 4555, in-
clusive.

On May 12, 1904, the Department returned to you for
further consideration, report and recommendation, motions made
by the attorney for the Creek Nation.
January 20, 1905, you resubmitted the motions, in
which it is requested that the matter of the enrollment of these
persons be reopened, and you recommended that the motions be
granted, in which recommendation the Acting Commissioner of
Indian Affairs concurs, in his letter of January 26, 1905.
The cases are similar to that of Rachael and Gertrude
Moore, this day reopened by letter to you. The matter of the
enrollment of Rachael, Annie, Frances, Clarence and Jerry Turner
is hereby reopened. It is requested that the hearings in these
cases be had as soon as practicable.

Secretary 3.

any roll of the Creek Nation in the possession of the Commission.
As the record now stands the only point involved in this
case is the weight to be given to the 1895 Dawes Roll. This
point is not covered in the ruling of the Department in the case

of Chaney Trent, et al.

It is, therefore, recommended that the motion of the Attorney

for the Creek Nation that the matter be taken out of the enrollment of said

James Turner, Annie Turner, Clarence Turner and

Larry Turner be itself withdrawn be refused, be granted.

The motions of the attorney for the Creek Nation are herewith

returned.

Respectfully,

COMMISSION TO THE NINE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

through the
Commissioner of Indian Affairs.

1905-72.

Secretary E.

Attorney for the Greek Nation for further consultation, report and recommendation, stating in its letter of transmittal that without further information, especially in view of the decision of the Department of May 7, 1904, in the case of Chancy Trent, of which it did not sustain the decision of the Commission in that case, the Department did not consider it proper to grant the request of the Nation.

The Commission has further examined the records in the case of said Michael Turner, Annie Turner, Frances Turner, Clarence Turner and Jerry Turner and finds that said Michael Turner was 26 years old in 1899, and that it does not appear that she is the descendant of a person whose name appears on the Dunn Roll. It does not appear that said Michael Turner has ever been recognized by any legally constituted authority as having Greek blood, nor that she is the descendant of a person who was so recognized, nor is it shown that her name appears on any roll of the Greek Nation other than the 1891 Omitted Roll and the 1898 Doubtful Roll.

The records of the Commission further show that said Annie Turner, Frances Turner, Clarence Turner and Jerry Turner are the minor children of said Michael Turner and of Lee Turner, a non-white person, and that the names of none of said minor children appear upon

100-10000

Washington, Indian Territory, January 10, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

On September 3, 1902, the Commission transmitted to the Department, without recommendation, motion by the Attorney for the Creek Nation, asking that the matter of the enrollment of Michael Turner and her children, Annie, Frances, Clarence and Jerry Turner, as Creek Freedmen, be reopened.

The Commission stated in its report of said date transmitting said motions, that the names of said Michael, Annie, Frances, Clarence and Jerry Turner appear on the partial list of Creek Freedmen approved by the Secretary of the Interior March 28, 1902. Roll Nos. 4549 to 4553, inclusive; that the name of said Michael Turner appears upon the 1891 Omitted Roll of the Creek Nation and on the 1895 Omitted Roll of said Nation, and that at the time said list was transmitted to the Department said Michael Turner had not been identified on said Omitted Roll.

May 12, 1904, the Department returned the motions of the

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, INDIAN TERRITORY, APRIL 3, 1905.

Ex. 901.

-00000-

In the matter of the application for the enrollment of
Rachael Turner, et al., as Creek Freedmen. (Additional testimony).
RACHAEL TURNER, being duly sworn, testified as follows:

EXAMINATION BY COMMISSION:
Q What is your name? A Rachael Turner.
Q How old are you? A Thirty-three.
Q What is your postoffice address? A Muskogee.
Q Are you the mother of Annie, Frances, Clarence and Jerry Turner?
A Yes, sir.
Q What is the name of their father? A Lee Turner.
Q Is he a citizen of the Creek Nation? A No.
Q Any rights that these children may have then comes through you
do they? A Yes.

Nora Ellen Parrish, being duly sworn on her oath states that
as stenographer to the Commission to the Five Civilized Tribes she
reported the above case and that this is a full, true and correct
transcript of her stenograph is noted in same.

[Signature]

Subscribed and sworn
to before me this 3rd day
of April, 1905.

[Signature]
Notary Public

Rachael Turner \..... 48.

Q But he didn't, mother did all the business.
Q When did she go before the Council? A She never went before
the Council at all but she always did our business.
Q Was your mother living in 1890? A Yes, sir.
Q You said just a moment ago, did you not, that your mother went
before the Council? A No, I said my mother did all the business
but my father didn't.
Q What was your mother's name? A Lorenna Moore.
Q Was your mother considered as a citizen by blood or as a
freedman? A I do not know, she was always free so I guess she
must have been considered a freedman.
Q In recognizing her as a citizen of the Greek Nation did they do
that because she was an Indian or a freedman? A I could not
tell.
Q Was she a slave? A Yes, born that way but freed when she was a
little child.
Q Were you a slave? A No, sir.
Q Are you sure of that? A No, I was no slave. My grandmother
belonged to Miss Elizabeth Grayson, so Miss Elizabeth Grayson
freed grandmother.
Q Do you remember the \$29.00 payment in 1890? A Yes, sir.
Q Do you remember that there was a xxx payment made in 1890 and
then in 1891 there was another payment made for those that were
left off the roll in 1890? A Yes, sir.
Q Which payment did you draw? A Yes, I drew the payment in 1891.
Q How was it that you did not get on in time for the first payment?
A Well, that I cannot tell.
Q The first payment was made in 1890, from what you call the 1890
Roll, and your name does not appear on that roll, nor
does the names of Jerry Moore and Rachael Moore appear
on that roll, but in 1891, when they paid those who had
been omitted from the 1890 roll you and they received
that money --- I want you to explain why you were not on
in 1890? A I do not know.
Q Were the rights of your brother Jerry ever questioned at that
time? A Our rights were never questioned as long as mother lived
but when she died they began to question them.
Q Did you draw the \$14.40 payment in 1892? A We got some money
but we did not draw all the payments.
Q ~~Black~~ Do you know why they did not get that? AA Because they
had us left off I guess; me and my folks were all called over
the river.
Q Do you know whether your brother, Jerry Moore, ever went before
any Commission, the Gilbert Commission, to have his name re-
instated on the roll? A No, sir.
Q Do you mean that he did not, or that you do not know? A Yes,
he never had been off the roll that I know of, but it seems that
they did leave us off, but I don't know why they did for we were
always citizens and ought to be on the rolls.
Q You know that he did not get the payment in 1892, do you not?
A We did not get it but we were never told that we were not on
the roll, we thought all the time that we would get our money.

I, Vera Ellen Parrish, on oath state that the above and fore-
going is a full, true and correct transcript of my stenographic
notes as taken in said cause.

Vera Ellen Parrish
Charles J. ...
Notary Public.

Subscribed and sworn to
before me this 6th day of March, 1905.

Reuben Turner... 47.

Q You were on the Dunn Roll were you not? A Yes, sir.
Q Jerry Moore was not on that Roll, why is that? A I do not know
but he was always a citizen and so was all of them. I cannot
account for that.
Q Do you know whether Jerry Moore was ever recognized by the
Greek Council as a citizen by blood. A He was a citizen and
he had a good deal of the Greek blood.
Q The name of Jerry Moore appears on the Roll of Arkansas Town--
on the Arkansas Town Roll appears the names of freedmen only,
is that correct? A Not that I know, because there are some
Indians on the Arkansas Town Roll; all that was living in that
town was enrolled.
Q Was Jerry Moore regarded as an Indian or colored man? A A
colored man but I know there was a good deal of Indian blood in
him.
Q Was his father an Indian? A No, he got his Indian blood from
his grand-mother.
Q His mother, then, was one half mixed with Indian and Negro?
A Yes, she was colored mixed.
Q Have you ever been town King of Arkansas Town? A Yes, sir.
Q Were you town King in 1890 and 1891, time of the \$29.00 payment?
A No, sir, there was no payment made in my term. I served
just before General Porter took his place. I was town King
during General Lapham's time.
Q Was that before the \$14.40 payment or afterwards? A Afterwards.
Q The payment made in 1892--the roll you made for that payment
was the last that you made was it not? A Yes, sir--the \$14.40
payment--I think it was last.
Q That was the last payment--was that the last roll? A Yes, I
believe so.
Q And you know that the names of Reuben Turner and Jerry Moore
are not on that roll do you not? A I do not know; I never
examined it at all.
Q All you know is that Jerry Moore lived in the Creek Nation all
his life? Yes, he was born here.
Q Was he a slave? A No, sir.
Q Was his mother a slave? A I do not know, but I don't believe
she was.
Q Was his father a slave? A I do not know.
Q You do not know, then, when they were admitted by the Council,
if ever? A No, sir.

VICTORIA SHERMAN, being duly sworn, testified as follows:

By Commission:
Q What is your name? A Victoria Sherman.
Q What is your age? A 51.
Q What is your postoffice address? A Muskogee.
Q Are you related to Reuben Turner? A Yes, sir.
Q What relation? A I am her aunt.
Q Are you a sister to her father? A Yes, sir, he is my oldest
brother.

Witness is identified as Victoria Sherman on Greek
Freedmen Card, Field Number 1268, and is found on the
partial list of Greek Freedmen approved by the Secretary
of the Interior, March 28, 1902, Roll Number 4386.

Q Have you lived in the Creek Nation all your life? A Yes, sir.
Q Did your brother, Jerry Moore, lived in the Creek Nation all his
life? A Yes, sir.
Q Do you know whether he ever went before the Council of the Creek
Nation and applied for admission as a citizen? A My mother did

Q Are you on that roll? A I ought to be on there.
Q I asked you if you were on the Tunn Roll, do you know what the Tunn Roll means? A Yes, it means the roll that was made here by Major Tunn, I think.
Q I asked you if you were on the Tunn Roll, do you know what the Tunn Roll means? A Yes, it means the roll that was made here by Major Tunn, I think.

Tunn Roll examined and witness not identified thereon.
It appears from said Card that witness was admitted to citizenship in the Creek Nation by the Creek National Council in 1867.

Q Did you know Jerry Moore, father of Rachael Moore? A Yes, sir, I knew him all his life time.
Q Was he here with you after the war? A Yes, we fought through the war together and then after the war he was here, and his mother was here with my mother.
Q He was not put on the Tunn Roll? A I don't know.
Q He was not admitted by the Council when you were admitted in 1867? A Cannot tell, for I don't know; but me and him are two sister's children; we fought in the war together and we have lived here together all the time since.
Q Do you know whether Jerry Moore ever went before the Creek Council and was admitted to citizenship in the Creek Nation? A I do not recollect; he might have been.
Q Do you know if Jerry Moore went before the Creek Tribal Council and was admitted to citizenship in the Creek Nation? This man here (referring to William McIntosh) can tell you more about it than I can.
Q Do you know if the Council ever recognized Jerry Moore as a citizen of the Creek Nation? A They recognized him, mother and all.
Q How did they recognize them? A They were Creek citizens.
Q Do you know whether the Council ever passed any resolutions recognizing him as a citizen? A I do not know for I never did visit the Council.

WILLIAM MCINTOSH, being duly sworn, testified as follows:

Q By Commission:
Q What is your name? A William McIntosh.
Q How old are you? A 67.
Q What is your position? A Ridge, Indian Territory.
Q Do you know Rachael Turner? A Yes, sir.
Q Do you know her father Jerry Moore? A I did in his life time; he is dead now.
Q How long has he been dead? A More than five years ago.
Q Are you any relation to them? A No, sir.
Q Was you ever a member of the Creek Council? A Yes, sir, a good many years.
Q Were you a member of the House of Kings or House of Warriors? A House of Kings and Warriors both.
Q Are you a member of the Council now? A No, sir.
Q Was Jerry Moore ever admitted by the Creek Council to citizenship in the Creek Nation? A There was no need of it, he was just a citizen like myself. The Moore family was raised in the Creek Nation and had a good deal of Indian blood in them and no one ever raised the question as to their citizenship for they were always citizens just like myself.
Q While you were a member of the Council did they ever pass any resolutions recognizing Jerry Moore as a citizen of the Nation? A Not that I know; there was no need of it for Jerry and the whole family was always citizens.
Q Were they citizens just because they were always citizens? A Yes.

Q When was that? A It was in '98 or '95 we went.
 Q Did he ever go before the Council in 1890 and apply for admission as a citizen of the Creek Nation? A No, my grandmother, deceased was the mother of Jerry Moore; her mother and my mother and three brothers all went to Okmulgee in 1890, but she was always a citizen before that and no question came up before that until in 1890 when we went there. We drew every payment except the \$14.40.
 Q Were you ever admitted to citizenship in the Creek Nation by the Creek Council? A Yes, sir.
 Q When was that? A Well, I do not know just exactly when but my grandmother enrolled all the family.
 Q Was Jerry Moore admitted as an Indian or Creek Freedman? A Freedman; he never tried to prove any right by Indian blood; our Council never recognized any of us by Indian blood.
 Q You, and Jerry Moore and his family did not draw the payment in 1898 did you? A No, sir.
 Q Why did you not draw that payment? A We belonged to the Arkansas Town---we went across the River and enrolled.
 Q After we enrolled everything was all right until just a day or two before the payment when we went there but they never did give us any satisfaction though we went there two or three times.
 Q Did you make application before what was known as the Gilbert Commission to be admitted as a citizen of the Creek Nation? A No, sir, for we were told that it was no use for us to.
 Q Did you go before the Dawes Commission in 1898? A Yes, we went when it was in the Court House--when they first commenced enrolling the Greeks.
 Q What time was that? A In '98, but I am not sure.
 Q After you, Jerry Moore and family were put on the Doubtful Roll were you ever admitted by the Creek Council or any Committee? A No, sir, we was not put on until in '98, and after that my uncle, Jerry Moore, who was blind and could not see and could not 'tend to his business--and I went with him two times--but we didn't get no satisfaction so I just come back and never went any more to get it fixed--and after he was dead the child got on the 1899 roll.
 Q You mean you got the child on the roll made by the Dawes Commission? A Yes, sir.

The Doubtful Roll of the Creek Nation examined and the name of Jerry Moore, father of applicant herein, is identified on the 1891 Omitted Pay Roll, and the 1892 Doubtful Roll of the Creek Nation, and on no other roll in the possession of the Commission.

ELIAS DEERE, being duly sworn, testified:

By Commission:
 Q What is your name? A Elias Deere.
 Q How old are you? A Fifty-seven.
 Q What is your postoffice address? A Muskogee.
 Q Are you a citizen of the Creek Nation? A Yes, sir.
 Q Are you related to Rachael Turner? A Yes, sir.
 Q What relation? A A second cousin; me and her father were first cousins-----two sister's children.
 Q Have you lived in the Creek Nation all your life? A Yes, sir;
 Q I was raised right here and have lived right here all my life.
 Q Is your name on the Dunn Roll? A Yes, sir.
 Q Witness is identified as Elias Deere and his name appears on Creek Indian Card, Field Number 1022, and on the partial list of Creek Freedmen, approved by the Secretary of the Interior March 28, 1902, Roll Number 3850.

Rachael Turner.....44.

family of said Rachael Moore, who is identified as the applicant herein.

Q Did you ever before what was known as the Gilbert Commission in about 1895 or 1896 and make application to be admitted as a citizen of the Greek Nation? A No, I never did; my father always did that.

Records of the proceedings of the Greek Citizenship Commission, commonly known as the Gilbert Commission, examined and it does not appear that application was ever made to said Commission for the admission of the applicants herein, or any of them, to citizenship in the Greek Nation.

Q Did you ever come before this Commission, the Commission to the Five Civilized Tribes, in 1896, and make application to be admitted to citizenship in the Greek Nation? A The old folks went, but I did not go.

Records of the proceedings of this Commission, under Act of Congress of June 10, 1896, examined and it does not appear that application was ever made to said Commission for the admission of the applicants herein, or any of them, to citizenship in the Greek Nation.

Q Do you know whether your father and mother were living in the Greek Nation in 1887? A Yes, they lived here I think.
Q Do you know whether their names appear on what is known as the Dunn Roll? A Yes, papa's did; mama's didn't because she was not a citizen.

Roll of Greek Freeholders made by J. W. Dunn, under authority of United States, prior to March 14, 1887, examined and the names of the father and mother of said Rachael Turner, or either of them, not identified thereon. Neither does the name of Rachael Moore appear thereon.

Q Do you know how you first got on the Roll of the Greek Nation? A No, sir, I was put on there through my father.
Q Is your father living? A No, sir, he is dead.
Q How long has he been dead? A Four or five years.
Q Is your father the only person who would know how you got on the roll? A No, sir, others would know, I guess.
Q What others? A I cannot just say, but other people would know.

FRANCIS NORWOOD, being duly sworn, testified:

Q By Commission:
What is your name? A Francis Norwood.
How old are you? A Thirty-five.
What is your postoffice address? A Muskogee.
Are you related to Rachael Turner? A Yes, sir.
How long have you known her? A Ever since I have been big enough to remember.
Do you know her father, Jerry Moore? A Yes, sir.
Do you know if he had any Indian blood? A Yes.
Had he? A Yes.
How did he get it--was his father an Indian? A His father was a Negro. His grandfather was half Indian.
Q Do you know whether Jerry Moore ever went before the Council of the Greek Nation and applied for admission as a citizen of said Nation? A He went there five or six different times; he went there three times that I went with him.

to bona fide citizens of the Nation; therefore,
Sec. 148. The fact alone that any person has at any
time participated in the per capita distribution of any of
the public moneys of the Muskogee Nation does not make of
such a person a citizen of the Muskogee Nation, entitled
to the rights and privileges of recognized citizens there-
of, and shall not by any authority of the Nation be ac-
cepted or considered as evidence sufficiently perfecting
and establishing such claim.
Sec. 149. The committee of eighteen (18), appointed
by act of extraordinary session of Council approved May
15, 1895, to examine and correct the census rolls of 1895,
are hereby instructed and directed to entertain and consider
any and all challenges and questions urged in good faith
by any respectable citizen against the claim of any person
to citizenship in this Nation, and strike from the rolls
and preserve a correct list of all the names so stricken
out and report the same to the present session of Council.
Sec. 150. All persons of Greek blood and all adopted
citizens of any blood who reside in the Muskogee Nation,
and whose citizenship is not questioned, are hereby de-
clared entitled to participate in the coming per capita
payment.
Sec. 151. All persons residing in the surrounding
Nations, whether Greek by blood or otherwise, who claim
Greek citizenship, but have been recognized as citizens
by the authorities of the Nation in which they reside, are
hereby deprived from participation in said per capita
payment.

Approved May 17, 1895. *

On page fifty of said book appears the following:
"Census-Committee Report on
Committee, I. T., June 28, 1895.
Sec. 154. Hon. National Council, M. N.:
Gentlemen:-We, your committee of eighteen, appoint-
ed to consider and correct the census rolls of the several
towns, as handed in by the Town Chiefs, have examined and
corrected the forty-seven rolls.
The aggregate number on the rolls is 13,841.
The number enrolled which were stricken from the rolls
by the committee as doubtful 619.
Having completed the work assigned to us, we submit
this report and asking that the report be adopted and
Committee discharged.
Respectfully,
H. J. Smith, Chairman.

Milled McIntosh, Clerk.
Approved June 8, 1895. *

The list of 619 persons stricken from the roll as
doubtful, and approved as above by the Greek Council,
examined and the name of Rachael Moore is found thereon
in family of Jerry Moore.

Do you know Grant Moore? A Yes, sir.
Is he related to you? A Yes.
Do you know Willie Moore? A Yes, sir.
Do you know another Willie Moore? A No, sir.
Do you know Mamie Moore? A Yes, sir.
What relation is she to you? A Sister of mine.
Do you know Stella Moore & what relation is she to you? A Yes, sister.
The names of above mentioned persons appear in said

Rachael Turner, et al.....\$2.

Q What is the name of your mother? A Mary.
Q What was her name before she married your father? A She went
by her master's name.
Q After she married your father her name was Mary Moore--what was
her name before she married him? A I thought she said her name
was Mary James, but they always called her Mary--just Mary.

List of persons admitted to citizenship in the Greek
Nation by the Greek National Council, appearing on page
102 of a book entitled Constitutional Laws of Muscogee
Nation, as compiled and codified by A. P. McKellop under
act of October 13, 1892, examined, and the name of ap-
plicant herein, or of her father Jerry Moore, or her
mother Mary Moore not found thereon.

Q Did you draw the \$25.00 payment in 1890? A Yes, sir.

The 1890 Authenticated Tribal Roll of the Greek Nation
examined and the names of none of the applicants herein
identified thereon.
The 1891 Omitted Roll of the Greek Nation examined
and the name of Rachael Moore, who is identified as the
applicant herein, is found at Number 322.

Q Did you draw the \$14.40 payment in 1892? A No, I did not draw
that.

The 1892 Pay Roll and the 1892 Omitted Roll of the
Greek Nation examined and the names of none of the ap-
plicants herein found on either of said Rolls.

Q Do you know why you did not draw that money in 1892? A I was
not living here; I was living in the Choctaw Nation then.
Q How long did you live there? A Three or four years.

Acts and Resolutions of the Greek Nation from 1893
to 1900, inclusive, compiled by A. P. McKellop examined
and on page 41 thereof appears the following:
"Committee of Rights--Appointment of

Sec. 147. That a special committee, to be composed
of six members from the House of Kings and twelve members
from the House of Warriors, be appointed to take charge of
the census rolls of the various towns and carefully examine
the same and ascertain whether or not they are correct, and
if any of them are found to contain the names of non-citizens
all such names shall be expunged from the rolls and re-
ported separately to the National Council. All the Acts
of the special committee herein provided for shall be
subject to the approval of the National Council.
Approved May 15, 1895."

"Per Capita Payment--Who are entitled to participate in.
Whereas, it has become notorious that by questionable
and unjust methods and practices many non-citizens have
heretofore been counted as citizens and participated in
the per capita distribution of the public lands of the
Nation; and,
Whereas, such persons as have in this manner obtained
a share in the payments of money of the Nation made to
her citizens, claim that by such participation they have
become fully recognized citizens thereof, entitled to all
the rights, privileges and immunities incident thereto,
which claim, if admitted, must eventually in great measure

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, INDIAN TERRITORY,
March 1, 1906.

In the matter of the application for the enrollment of
Rachael Turner and her four minor children, Annie Turner, Frances
Turner, Clarence Turner and Jerry Turner, as citizens of the
Greek Nation.

On Pay Roll of Greek Freedmen, approved by the
Secretary of the Interior March 28, 1902, appears the
names of Rachael Turner, Annie Turner, Frances Turner,
Clarence Turner and Jerry Turner, at numbers 4849 and
4853, inclusive.
August 22, 1903, motions to re-open the matter of
the right to enrollment of said persons were filed with
the Commission by Attorney for the Greek Nation.
February 1, 1905, the Department granted a motion
for re-hearing in said case.

RACHAEL TURNER, being duly sworn, testified:

By Commission:
What is your name? A Rachael Turner.
How old are you? A Thirty-two, I think.
What is your postoffice address? A Muskogee, Indian Territory.
Are you the mother of Annie, Frances, Clarence and Jerry Turner?
Q Yes, sir.
Are those children all living? A All but one, Annie, who is dead.
How long has she been dead? A She has been dead near three years.
How old was she when she died? A She was four or five years old.
Was she about nine years of age? A No, she was the oldest of
my children but she was not nine; she was somewhere about seven
or eight years of age.
How old is Frances? A Somewhere about eight.
How old is Clarence? A Seven.
How old is Jerry? A Four.
Are you married? A Yes, sir.
What is your husband's name? A Lee Turner.
What was your name before you married Lee Turner? A Simms; I
have been married twice.
What was your name before your first marriage then? A Rachael
Moore.
Was your name Rachael Moore in 1895? A Yes, sir, my name was
Rachael Moore until I married.
Have you any Indian blood? A I do not know what you mean.
I mean, was your father or mother an Indian or Negro? A No,
colored people.
Were both of your parents Negroes? A No, they were both colored
people.
Is your grandfather an Indian or Negro? A No, they are all
colored people.
Did you ever go before the Council of the Greek Nation to be
admitted as a citizen? A No, the older people did that.
Did they go before the Council of the Greek Nation? A I do not
know; I never attended to anything like that.

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Or 22 900

Washoe, Indian Territory, August 2, 1906.

Washoe, Indian Territory.

Dear Sir:

You are hereby advised that under date of July 26, 1906, the Department concurred in the recommendation of the Commission to the Five Civilized Tribes that the enrollment of yourself and your minor child, Gertrude Moore, as Creek Freedmen, opposite approved Roll Nos. 4391 and 4392, respectively, be allowed to stand.

Respectfully,

Commissioner.

Or En 300

Manakoe, Indian Territory, August 2, 1906.

Thomas H. Owen,

Attorney for Ezekiel Moore, et al.,

Manakoe, Indian Territory.

Dear Sir:

You are hereby advised that under date of July 26, 1906, the
Department concurred in the recommendation of the Commission to the
Five Civilized Tribes that the enrollment of Ezekiel Moore and
Gertie Moore, as Creek Freedmen, opposite approved Roll Nos.
4391 and 4392, respectively, be allowed to stand.
Respectfully,

Commissioner.

of April 18, 1906 (I.T.D. 3194-1906) I recommend that the decision
of the Commission favorable to the applicants be approved.

Very respectfully,

C. F. Larabee,
Acting Commissioner.

M.M.M. (W)

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Land
47784-1905

DEPARTMENT OF THE INTERIOR
Office of Indian Affairs.
(copy)

WASHINGTON, July 3, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letter of February 1, 1905 (I.T.D. 1028-1905) I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated June 17, 1905, in the matter of the enrollment as Creek Freedmen of Ezekiel Moore and his minor child, Gertrude Moore and recommending that their enrollment be allowed to stand.

The record enclosed shows that the principal applicant is not identified on the Dunn roll but appears on the 1891 Omitted roll of the Creek Nation. His name (as Zach Moore) appears upon the list of 619 persons stricken from the rolls of the Creek Nation by the Committee of Fifteen and that its action in striking the name of Ezekiel Moore from the rolls was approved by the National Council June 8, 1895.

It does not appear that the applicants have been enrolled or admitted to citizenship by the Creek tribal authorities or any United States tribunal since June 8, 1895. Under the terms of the decision in the Frank London case

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W.C.F.
LIB

I.T.D. 8082-1906
D.O. 36475-1906

DEPARTMENT OF THE INTERIOR.

J.P.

WASHINGTON, July 28, 1906.

Commissioner to the Five Civilized Tribes,

Washoe, Indian Territory.

Sir:

On February 1, 1906, the Department upon motion by the attorney

for the Creek Nation reopened the matter of the enrollment as
Greek freedmen of Ezekiel Moore and his minor child, Gertrude
Moore, whose names appear on the partial roll of Greek freedmen
approved by the Department on March 28, 1902, opposite Nos. 4391
and 4392, respectively.

With the report of the Commission to the Five Civilized Tribes
of June 17, 1906, there was transmitted the evidence taken subse-
quent to the reopening of the case. The Commission recommended
that the enrollment of Ezekiel Moore and Gertrude Moore stand.
Reporting July 3, 1906, the Indian Office concurs in the
recommendation of the Commission. Copy of its letter is in-

closed.

The Department also concurs, and the enrollment of Ezekiel
Moore and Gertrude Moore will stand.

Respectfully,

(Signed) THOS. RYAN,
Acting Secretary.

Secretary A.

Ref: Nos. 4391 and 4392, respectively, do appear to stand.
A copy of the record in the case is herewith enclosed for
Departmental consideration.
Respectfully,
COMMISSIONER OF THE RIVER DIVISION, THIRDS.

Chairman.

Commissioner.

Commissioner.

Through the
Commissioner of Indian Affairs.

171-4-4.

Secretary S.

tion in striking the name of said Asakiel Moore from the rolls.

was, on June 8, 1895, so approved.

It does not appear from the evidence that the applicants,

or either of them, have, subsequent to June 8, 1895, ever been en-

rolled as citizens of the Creek Nation, nor that they, or either

of them, have ever been admitted to citizenship in said Nation.

Subsequent to said date, by the Creek tribal authorities, the com-

mission to the Five Civilized Tribes, or the United States Court

in Indian Territory; nor does it appear that the applicants, or

either of them, have ever been recognized by any legally consti-

tuted authority as having Creek blood; nor that they, or either

of them, are the descendants of a person who was so recognized.

In the Creek case of Frank London, et al., the Department

ruled (17.3194-1925):

"If the applicants are otherwise entitled to be en-
rolled as citizens of the Creek Nation, the striking of
their names from the 1895 roll by the Committee of
Eighteen does not affect their rights."

Following the ruling of the Department in said case of Frank

London, et al., it is respectfully recommended that the enrollment

as Creek freedmen of said Asakiel Moore and George Moore opposite

Secretary E.

had March 3, April 14 and May 8, 1906.

The evidence shows that said Michael Moore was about 48 years old in 1906, and that his name does not appear on the roll of Greek freedom men made by J. W. Dunn prior to March 14, 1907;

that said Gottlieb Moore is the minor child of said Michael Moore, and of Mary Moore, a non-citizen; that the name of said Michael Moore appears on the 1891 omitted roll of the Greek

Nation, and on no other roll of citizens of said Nation in the possession of the Commission, and that the name of his said minor child, Gottlieb Moore, does not appear on any roll in the possession of the Commission.

The evidence further shows that the name of said Michael Moore (as Jack Moore) appears on the list of 619 persons taken on from the rolls of the Greek Nation as compiled by the Committee of Eighteen; that said Committee of Eighteen was authorized by acts of the Greek Congress, approved May 16 and May 17, 1895, to strike from said rolls the names of persons found to be non-citizens; that the acts of said Committee of Eighteen were subject to the approval of the National Congress, and that its

GR 12 000

Muskogee, Indian Territory, June 17, 1905.

The Secretary of the Interior,
The Honorable,

Sir:
February 1, 1905 (I.T.D. 1028-1905), the Department, on motion of the attorney for the Creek Nation, reopened the matter of the right to enrollment of Asahel Moore and his minor child, Gertrude Moore, whose names appear on the partial roll of Creek Freedmen, approved by the Department March 28, 1902, opposite numbers 4391 and 4392, respectively.

February 8, 1905, Asahel Moore and the attorney for the Creek Nation were informed of the action of the Department and were notified that on March 1, 1905, the Commission, at its office in Muskogee, Indian Territory, would hear such evidence as they might desire to submit relative to the right to enrollment of said Asahel and Gertrude Moore. No appearance was made on the day set.

March 2, 1905, Asahel Moore appeared before the Commission and submitted testimony in the case. Further proceedings were

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Indian Territory, May 20, 1904.

Commission of the Five Civilized Tribes,
Choctaw-Okfuskee Enrollment Division.

Gentlemen:

July 26, 1904. Eke Moore appeared before the Commission and made application for enrollment as a Creek Freedman. In the testimony taken on said date it stated that his mother was a citizen of the Choctaw Nation.

You are requested to advise the Creek Enrollment Division whether application has been made for the enrollment of said Eke Moore as a citizen of the Choctaw Nation, and if so, what disposition has been made of same.

A copy of the testimony of July 26, 1904, is herewith enclosed.

Respectfully,

Chairman.

1YM-20-1

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| ENTER IN BLANK TO THE FOLLOWING: |
| En. 800. |

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

COMMISSIONERS:
JAMES HENRY,
THOMAS A. NEWELL,
C. E. BRIDGEMAN,
WM. O. BEALL,
SECRETARY.

Muskogee, Indian Territory, February 8, 1905.

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

Ezekiel Moore,

Muskogee, Indian Territory.

Dear Sir:

February 1, 1905, the Department re-opened the matter of the right to enrollment of Ezekiel Moore and Gertrude Moore as citizens of the Creek Nation, on motion of the attorney for the Creek Nation.

You are hereby notified that on March 1, 1905, the Commission will, at its office in Muskogee, Indian Territory, receive such evidence as you may desire to submit relative to the right to enrollment of yourself and Gertrude Moore as citizens of the Creek Nation. At the same time and place the Creek Nation will be allowed to introduce evidence in the case.

Respectfully,



Chairman.

Register.

non-citizen, and that her name does not appear upon any roll of the Greek Nation in the possession of your Commission. The only point involved, you state, is the weight to be given to the 1925 Doubtful Roll, "in case it is shown that Eusebius Moore and Ezekiel Moore are one and the same person." In accordance with your recommendation, the matter of the right to enrollment of Ezekiel Moore and Gertrude Moore as citizens of the Greek Nation is hereby reopened. Said motion and a copy of the Acting Commissioner's letter of January 26, 1908, are inclosed.

Respectfully,

(Signed) Thos. Ryan

Acting Secretary.

2 inclosures.

(COPY)
 D.C. 2818-1905.
 DEPARTMENT OF THE INTERIOR,
 WASHINGTON.
 I.T.D. 1026-1905.
 February 1, 1905.
 1.P.

Commission to the Five Civilized Tribes,
 Muskogee, Indian Territory.

Gentlemen:

January 26, 1905, the Acting Commissioner of Indian
 Affairs submitted your report of January 20, 1905, resubmitting
 a motion of the attorney for the Creek Nation to reopen the
 case of Ezekiel and Gertrude Moore, which was the subject of
 your letter of March 15, 1904.

It appears that the names of Ezekiel and Gertrude
 Moore are contained in the partial roll of Creek Freedmen ap-
 proved by the Department March 28, 1902, numbers 4391 and 4392,
 respectively. Beds for land allotted to these persons, it ap-
 pears from your report of March 15, 1904, have been delivered
 to the allottees.

You state that it does not appear that Ezekiel Moore
 has ever been recognized by any legally constituted authority
 as having Creek blood, nor that he is the descendant of a person
 who was so recognized, nor is it shown that his name appears
 on any roll of the Creek Nation other than the 1891 Omitted
 Roll, and probably upon the 1895 Doubtful Roll; that Gertrude
 Moore is the wife of said Ezekiel Moore and of Mary Moore, a

(COPY)

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,

WASHINGTON, January 26, 1904.

Land.
2642-1904.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letter of May 12, 1904, (I. T. D.

2642-1904), there is inclosed the motion of the Creek Nation

to reopen the matter of the enrollment of Kaskiel and Gertrude

Moore, accompanied by the favorable recommendation of the

Commission to the Five Civilized Tribes.

Very respectfully,

C. F. Larrabee

Acting Commissioner.

W. M. M.

Moore. #2.

Q What position have you held? A A member of the House of Warriors.
Q What town? A Arkansas Town.
Q What town does Lake Moore belong to? A Arkansas Town.
Q Do you know Rachael Turner? A No.
Q Have you seen that woman out there? A Yes.
Q Do you know where she has been living? A No, I just saw this
woman, I do not know her.
Q Is Lake Moore a recognized citizen of your town? A Yes.
Q Do you know anything about him being on any roll of being
dropped from any roll? A Yes, he was on the Arkansas Town Roll.
Q Do you know whether or not his citizenship has been questioned
by the members of Arkansas Town since you have known him? A No.
Q He was always a citizen as far as I know.
Q What years did you have anything to do with that roll? A Since
1895.
Q Did you know Lake's mother? A No, I did not know his mother.
Q I was too small to know his mother.

Nora Ellen Parrish, being sworn on her oath states that as
stenographer to the Commission to the Five Civilized Tribes she
reported the above case and that this is a full, true and correct
transcript of her stenographic notes in same.

[Signature]

Subscribed and sworn
to before me this 8th day
of May, 1905.

[Signature]
Notary Public.

Q By some means or other, I do not know how it came about.
 Q Were there any other names left off that roll besides Lake's?
 A Yes, several; even the Greek Indians. I gave them the right
 names, and I gave them Lake's names and others and instead of
 printing the names that I gave they printed some other names.
 Q You mean the printer printed some other names instead of the
 ones that you gave? A Yes, he printed some wrong and some he
 did not print at all.
 Q After that time was Lake Moore recognized as a citizen of the
 Greek Nation? A Yes, and he voted; he never was rejected.
 Q Was his name afterwards passed on by the Council and rejected
 as a citizen? A No.
 Q Who was the printer that you say left the name off? A I took
 the roll over to Colonel Robinson--and I do not know.
 Q For what purpose? A To have it printed.
 Q Do you know Richard Turner? A Yes.
 Q Is there any relation to Lake? A Sister.
 Q What do you say as to her being a citizen of the Greek Nation?
 A She was never rejected.
 Q Was she always recognized as a citizen of the Greek Nation?
 A Yes.
 Q What town does she belong to? A Arkansas.
 Q Do you know whether or not her name was on the roll that you
 turned in? A Yes.
 Q Who has that roll now? A The Commissioner must have it here.
 Q You have no roll made by you, as Town King, at that time? A No.
 Q I had a roll made and brought it here and the Commissioner took it.
 Q Who is the Town King of that town now? A I am.
 Q Is Lake Moore, at this time, recognized as a citizen by the
 Greek authorities? A Yes.
 Q Has there ever been a time when he was not recognized as a
 citizen? A No, he has always been recognized as a citizen.

BY COMMISSION:

Q You say that the mother of Lake Moore was Lorena Moore? A Yes.
 Q Was Lake born before or after the war? A After.
 Q Was he born after the Dunn payment in 1867? A Yes, he was
 born before the war; he was with his father when I was recruited
 as a soldier.

BY THOMAS H. OWEN:

Q Where was it that you was recruited as a soldier? A About two
 miles from here, I guess; it is on the other side of the River.
 Q Did you ever draw any money for Lake while you were Town King?
 A Yes.
 Q What payment? A The \$25.00 payment.

WILLIAM HAWKINS, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A William Hawkins.
 Q How old are you? A About forty-one, I expect.
 Q What is your postoffice address? A Tallahassee.
 Q Do you know a man called Lake Moore? A Yes.
 Q Did you ever hear him called Ezekiel? A Some call him Ezekiel
 sometimes and sometimes he is called Lake.

BY THOMAS H. OWEN:

Q How long have you known Lake Moore? A About twenty-four or
 twenty-five years.
 Q Have you ever held any official position in the Greek Nation?
 A Yes.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MURKOOK, INDIAN TERRITORY, MAY 3, 1903.

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In the matter of the application for the enrollment of
Haskell and George Moore as Creek Freedmen.

APPEARANCE: THOMAS H. OWEN, Attorney for applicants.

GABRIEL JAMISON, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION:

Q What is your name? A Gabriel Jamison.

Q How old are you? A Sixty-two.

Q What is your postoffice address? A Wapah.

EXAMINATION BY THOMAS H. OWEN:

Q Are you acquainted with Haskell Moore? A Yes, sir.

Q How long have you known him? A I have known him since before

the war. I have known him ever since I was a child.

Q Were you acquainted with his father and mother? A Yes.

Q What is his mother's name? A Rena.

BY COMMISSION:

Q Is the name of his mother Rena? A Yes.

BY THOMAS H. OWEN:

Q What is his father's name? A Lewis Moore.

Q Do you know whether or not his mother was a slave? A Yes, she

was a slave.

Q Do you know who she belonged to? A She belonged to Graham--

Q Do you know the Graham's? A It has been so long

since she died that I don't remember what her name was, whether it

was Lewis or what.

Q Do you know whether Lewis Moore was recognized as a citizen of

the Creek Nation by the authorities? A Yes, he was always

recognized as a citizen.

Q What position did he hold in the Creek Nation? A KING.

Q Of what town? A Atkinson.

Q What town did he belong to? A Atkinson.

Q Do you know when the rolls were made for the last census?

Q That was made in the Creek? A Yes.

Q What payment was that? A The last payment was the \$10,000 payment

to the Creek when the Committee of Fifteen passed on the rolls.

Q How much up the Arkansas Roll for that payment? A I don't

know how much of that time? A Yes.

Q How much up the roll for that time before the \$20,000? A I don't

know how much of that time? A Yes.

Q Do you know whether or not Lewis Moore's name was on that roll?

Q Yes, he was on that roll.

Q How much up the roll for that time before the \$20,000?

Q Yes, he was on that roll.

Q How much up the roll for that time before the \$20,000?

Q Yes, he was on that roll.

Exhibit A - Certificate of Ownership

Q Have you borrowed money on them? A Yes sir.
Q Did you give the deeds as security or give a mortgage on the land? A Give the deeds as security until I return the money.
Q Do you think you would get possession of the land? A Yes.
Q If I want to get money to return I could.
Q How much did you borrow? A Two or three hundred dollars.
Q What is the man's name? Who did you borrow from? A I borrowed from a company here in Mr. Trimble's building.
Q What is the name? A Mr. Bell is the man.
Q You don't know the name of the company he represented? A No, sir; I don't.

The Dunn Bell examined and the name of the applicant not found thereon.

INDIAN TERRITORY, Western District.
I, J. Y. Miller, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and complete translation of my notes as same appear in my stenographic report of this case.

[Signature]
Sworn to and subscribed before me
this 14th day of April, 1906.
Notary Public
[Signature]
My Comm. Expires April 11, 1907

EX-100

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE LAVA CIVIL TRIBES.

Unskilled, Indian Territory, April 14, 1905.

In the matter of the application for the enrollment of
Isakiel and Gertrude Moore as Greeks.

Isakiel Moore, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION:

Q What is your name? A Isakiel Moore.
Q What is your age? A 47 years old.
Q What is your position? A Unskilled.
Q You are the father of Gertrude Moore, are you not? A Yes sir.
Q Who is the mother of Gertrude? A There she is, right there
(pointing to her).
Q What is her name? A Mary Moore.
Q Is she a citizen of the Greek Nation? A No sir.
Q State woman? A Yes sir.
Q What is the name of your father? A Lewis Moore.
Q What relation are you to Jerry Moore? A Brother.
Q Brother to Jerry Moore? A Yes sir.
Q How old are you? A 47 years old.
Q Were you living at the time of the war? A Yes sir.
Q Were you born in the Greek Nation in 1857, do you know?
A Yes, I was born.
Q How do you sign your name? A Isakiel Moore, the proper name.
Q Most of them sign in short, like Moore, in short.
Q Have you relatives by that name that are now living? A What
name?
Q Like or Isakiel or any similar name? A I have not one living.
Q I think he is in the pen, though; younger brother than I--my
brother's son.
Q Is he the son of your brother, Jerry Moore? A Yes sir.
Q Is he a citizen of the Greek Nation? A Yes, a citizen to me.
Q Remembrance.
Q Has he been enrolled and got his land? A He sir; he has not
been enrolled.
Q Didn't he ever come in here and make application? A I think
he did; I was in here. I don't know how he fixed it.
Q About how old is he? A I think he is 18--I think.
Q Who did he live with here during the time of the 1890 payment?
A With his father.
Q He was a small boy at that time? A Yes sir.
Q Did they draw money for him in that payment? A Yes sir, they
did.
Q Have you got the deeds to the land for this daughter, Gertrude?
A Yes sir.
Q Have you those deeds in your possession? A No sir; they are
not in my possession right now.
Q What did you with them? A Right here in town in a man's box.

Exhibit Moore, et al...44.

Q You have separate schools in the Creek Nation for Indian and colored children, do you not? A Yes, sir.
Q Did her children go to an Indian or colored school? A Colored school.
Q Then she was considered as a colored woman? A Suppose so.

EXAMINATION BY APPLICANT:
Q My mother was a sister to your mother was she? A Yes, I say so.
Q And all three sisters stayed together all their days, and your aunt and my mother was always together and never was called doubtful was they? A No, your father was a Seminole and your mother was free, and your mother went to live where your father was and your father was a slave---your mother was free.
Q He was a State man? A Yes, that is what I say, he was a State man and his master was a Seminole.

EXAMINATION BY COMMISSIONER: (To applicant.)
Q Have you any further evidence that you want to introduce, Zerk?
A Not that I know, but I can get more if you want me to.
Q That is with you, do you wish to introduce more evidence in this case at any time? Could get more if I need more but I do not need any more. I have spent a good deal of time looking around about it already.

Applicant states that he has no further evidence to introduce.

Zera Ellen Parrish, being sworn on her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported the above case and that this is a full, true and correct transcript of her stenographic notes in same.

Subscribed and sworn to before me this 16 day of March, 1905.

[Signature]
Notary Public

Kaskiel Moore, et al.....43.

Q At that time if I was a doubtful or called a doubtful you would have reported it to me and let me know about this matter? A To be sure.
Q So, being as I never got any notification I did not know I was a doubtful? A No, because if you were you would have been notified by the Council.

EXAMINATION BY COMMISSION:

Q What do you mean---if he was a doubtful he would have been notified by the Council---what form of notification did you send the doubtful citizens? A The Council in placing people on the Doubtful Roll always come up before the House of Warriers, and where they were considered as doubtful citizens their names would be read to the Council, and the name of Zeke Moore was never read.
Q Do you know anything about this Committee of Eighteen? A Yes, I know, but these parties were never called up before this Committee of Eighteen as doubtful.

PATSY McINTOSH, being duly sworn, testified as follows:

EXAMINATION BY COMMISSION:

Q What is your name? A Patsy McIntosh.
Q How old are you? A 63.
Q What is your postoffice address? A Muskogee.
Q Are you a citizen of the Greek Nation? A Sure am.
Q What town do you belong to? A Arkansas.
Q Do you know the people in Arkansas Colored Town pretty well? A I do not know all by a good many.
Q Do you know Zeke or Zeke Moore? A Zeke.
Q Yes? A I know Zeke Moore.
Q Did you ever hear him called by any other name? A No, I believe not.
Q Did you ever hear him called Kaskiel Moore? A Yes, sir.
Q Do you know anybody in Arkansas Colored Town named Zeke Moore? A No, I do not.
Q How long have you known Zeke Moore? A I have known him ever since he was a baby.
Q Has he lived in the Greek Nation all his life? A Yes, he lived right in our yard. He lived there all the time but traveled around like most young folks do, but that was his home.
Q Do you know his father? A Yes.
Q What is his name? A Lewis Moore.
Q Is he a citizen of the Greek Nation? A No, Seminole.
Q Was his father ever a citizen of the Greek Nation? A No, a Seminole citizen, because his mother was a citizen of the Seminole Nation.
Q What is his mother's name? A Lorena Moore.
Q Was she a citizen of the Greek Nation? A Yes.
Q Do you know the difference between a Greek citizen and an Indian by blood? A Know the difference---what do you mean.
Q Do you understand the difference between those two terms---Greek or Indian by blood? A Always was free never was a slave.
Q Was she an Indian or Negro? A She looked like an Indian and had Indian blood in her and we've got it in us too.
Q Did she belong to an Indian town or a Colored town? A Arkansas Colored.
Q She was considered as a colored woman was she? A I do not know now.
Q Was she admitted to citizenship by the Greek Council? A No, but I know but suppose she has been because she was a Greek.

Maxwell Moore, et al.....42.

Q Was she living at the time of the \$14.00 payment? In 1885? A I think not.

Q Was she a Freedman or an Indian? A Freedman.

Q Did the Council ever recognize her as a Greek citizen by blood? A Indian Greek by blood.

Q Was she recognized as a Greek by blood or as a Greek Freedman? A Indian Greek by blood.

Q I will ask you again-- was Lorenna Moore recognized as a Greek Freedman or as a citizen by blood, that is, was she recognized by the Council as an Indian or as a Negro? A She was recognized as a Greek Freedman.

Q And Lorenna Moore you say is a non-citizen? A Yes.

Q He was never recognized either as a Freedman or a citizen by blood? A No, sir.

Q Do you know anything about the circumstances of Maxwell Moore first getting on the roll? A I know he was on the '90 roll and drew the \$14.00 payment, and I can state a little about how he got off the roll.

Q You may state? A In making up the roll of the \$14.00 payments, we were advised by the Greek Council to search all the hands on the roll before this man was paid, and to insert the names of those that were living--that was the order given by the Council to the members of the Arkansas Colored Town; and instead of doing that a member went to work and scratched off the names of all these children, Zake Moore, Gabe Moore and all the others.

Q You know, do you not, that their names were put on the Doubtful Roll by the Committee of Fifteen? A No, I do not.

Q Well, they are on that roll? A Well, it was not done by the Council.

Q The Doubtful Roll has been examined in this case and their names are found on the Doubtful Roll, approved by the Council? They were never considered as doubtful, as I have been a member for the last fifteen years, and it seems that I ought to have heard.

Q Do you remember at the time the Committee of Fifteen made this report--they struck off names from the roll as doubtful? A Yes.

Q And where a man was stricken from the roll as doubtful by that committee and the report of the committee was approved, and the man never presented his case to any other committee or Council and tried to have it stricken out, was he ever considered as a citizen? A Yes.

Q But the Council did that, did they not? A Yes, with others but not with this man.

Q What others? A The others that were considered doubtful, but this man was never considered doubtful.

Q Do not consider this man's case at all, but take any one whose name was put on the Doubtful Roll, which was approved by the Council, and that person never appeared before any Commission, and never was reinstated by any authority, was he considered as a citizen of the Greek Nation? A He could not be considered so.

EXAMINATION BY APPLICANT:

Q The whole time you transacted business for me in the Greek Nation I was never considered as a doubtful, and if I had been I would have been notified, is that right? A That is true, and if there had been any question as to you being a doubtful you would have been notified, but no such question ever arose in the Council.

Q Didn't you see to the business of people who was too poor to go to Council? A Yes, for I was Secretary of Arkansas Colored Town.

Q I was too poor to go at that time, wasn't I, and you attended to my business for me? A I did.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, INDIAN TERRITORY, MARCH 3, 1902.

En. 300.

-00000-

In the matter of the application for the enrollment of
Ezekiel Moore, et al., as Creek Freedmen.

Office of Creek Attorney communicated with, by
telephone, and the Commission informed that he was
not in.

WILLY MCINTOSH, being duly sworn, testified as follows:

EXAMINATION BY COMMISSION:

Q What is your name? A Willy McIntosh.
Q How old are you? A 48.
Q What is your postoffice address? A Muskogee.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q Member of what town? A Arkansas country.
Q Do you know the people very well in Arkansas Colored Town? A Yes.
Q Do you know Ezek Moore? A Yes, sir.
Q How long have you known him? A Two or three years.
Q Have you known him longer? A Yes, perhaps.
Q Did you ever hear him called Ezekiel Moore? A Yes.
Q Did you ever hold any official position in the Creek Nation? A
Yes, I was a member of the Creek National Council.
Q In the House of Kings or Warriors? A House of Warriors.
Q Are you a member now? A No.
Q Were you a member of the House of Warriors in 1890 and 1891? A
Yes.
Q Were you a member before that? Yes.
Q How long before? A Eighteen years.
Q Did you ever know of Ezekiel Moore being admitted to citizenship
by the Creek Council? A Yes.
Q When? A A little before the \$25.00 payment.
Q A little before the \$25.00 payment? A Yes, sir.
Q You say that he was admitted by the Council--how do you mean--
you mean by the admission of his family, or on the roll that was
adopted? A On the roll with them that was adopted.
Q Any recognition that he received by the Council--was it as a
Freedman or an Indian? A Creek Freedman.
Q Did the Council at that time recognize him as being a Creek
citizen by blood? A They did not recognize him as a Creek
citizen by blood but as a Creek Freedman.
Q Do you know his father? A Yes.
Q What is his name? A Jerry. Father?
Q Yes? A No, his father's name is Lewis Moore.
Q Was he a citizen of the Creek Nation? A No, sir.
Q Did you know his mother? A Yes, sir.
Q Do you remember his mother's name? A Yes, Lorena Moore.
Q Was she a citizen of the Creek Nation? A Yes.
Q Was she a Creek Freedman or an Indian? A Freedman.
Q Is she living? A No, she is dead.
Q How long has she been dead? A I do not know.
Q Was she living at the time of the \$25.00 payment? A Yes, sir,
and she got her money.

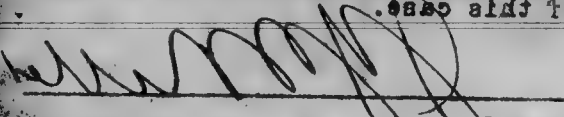
Exhibit Moore, et al-----b.

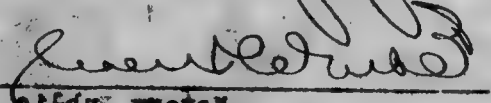
Exhibit Moore, et al-----b.
omit one more that they were one time
recognized as citizens; that's all I know. I am no counsel mem-
ber or nothing of that kind.
I have you drawn any Greek payments? A No sir.

Commission suggests to applicant that he ask any ques-
tion he may desire, of witness. (No question asked).

Case continued to 1:30 o'clock,
tomorrow.

INDIAN TERRITORY, Western District.
I, J. Y. Miller, a stenographer to the Commission to the Five
Civilized Tribes, do hereby certify upon oath that the above and
following is a true and complete translation of my notes as same
appear in my stenographic report of this case.





Notary Public

Sworn to and subscribed
before me this 3rd
day of March,
1908.

Reckel Moore, et al-----4.

Q Were you recognized as a freedman or as an Indian? A I was recognized as a freedman.
Q Did the Council, or any Greek tribal court, ever decide that you had any Indian blood? A If they did, they never said. I know I got Indian blood in me, but they never tested me.

The Greek Law Book 1893 Edition examined, and the witness is not identified in the list of persons appearing on page _____ thereon as having been admitted to citizenship by the Council of the Greek Nation.

Q What is the name of your father? A Lewis Moore.
Q Of your mother? A Lorena Moore.

Neither the name of his father nor of his mother appears on the list.

Q Was you the father of Gertrude Moore? A Yes sir.
Q Who is the mother of Gertrude Moore? A Mary Moore.
Q Is Mary Moore is a citizen? A No sir; state woman.
Q If Gertrude has any rights in the Greek Nation, would she get them through you? A Yes sir.
Q How old is Gertrude Moore? A I think she is--I am such a poor hand to keep up children's ages--now, she is about 14--let me get that right--that's right--about 14.
Q Gertrude Moore never grew any payments? A No sir.
Q Why? A Just done with her like they did me.

The tribal rolls of the Greek Nation in the possession of the Commission, and the name of Gertrude Moore is not identified on any of said rolls.
The doubtful roll examined, and the name of Gertrude Moore does not appear thereon.

Joe Harrison, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION:

Q What is your name? A Joe Harrison.
Q What is your age? A 36.
Q What is your residence? A Gettysville.
Q Do you know this man, here? A Yes sir.
Q What is his name? A Reke Moore.
Q Did you ever hear him called anything else? A No sir.
Q Did you ever hear him called Reckel? A No sir. I never heard him called Reckel.
Q Did you ever hear him called Reckel? A No sir; never did.
Q Are you a citizen of Arkansas? A No sir.
Q To what town do you belong? A My application was made for Arkansas Town but--
Q Are you enrolled here? A No sir.
Q Did you live around there, or near Reke Moore, all your life? A Yes, sir; I have known him from the time I was 14 years old up until now, but did not live in the same neighborhood.
Q Have you known anybody else around there by the name of Reke Moore? A No sir.
Q Anybody as Reckel Moore? A No sir.
Q Do you know anything about this citizenship business in the

Isaac Moore, et al----- 3.

are hereby debared from participation in said per capita payment.
Approved May 17, 1895.

On page 60 of the same book appears the following:
General-Committee Report on.
Committee, I. T., June 8, 1895.
Sec. 174.
Hon. National Council, M. H.
Gentlemen:--We, your committee of thirteen, appointed to consider and correct the names rolls of the several towns, as handed in by the Town Officers, have examined and corrected the forty-seven rolls.
The aggregate number on the rolls is 13, 841.
The number enrolled which were stricken from the rolls by the committee as doubtful is 619.
Having completed the work assigned us, we submit this report and asking that the report be adopted and committee discharged.

Respectfully,
M. J. Smith, Chairman.
Mildred McIntosh, Clerk.
Approved June 8, 1895.

The list of 619 persons stricken from the rolls as doubtful by said Committee, commonly known as the "Doubtful Roll" examined, and the name of Jack Moore is found thereon.
Q No, did you, after 1895, go before the Select Commission, or any other Commission, and ask to have your name put on the rolls?
A No, sir; we didn't know we was doubtful.
Q You knew you didn't get the money, and your Town King told you there had been some mistake that your name did not get on the final rolls? A But the Town King promised to pay.
Q And you let it go at that? A I had always a man doing our business.

Who was that? A Gabriel Jameson.
The records of the proceedings of the Select Commission examined, and it does not appear that application was ever made to said Commission for the admission of the applicants herein, or either of them, to citizenship in the Greek Nation.
The records of the proceedings of the Commission to the Five Civilized Tribes, under the act of Congress of June 10, 1890, examined, and it does not appear that application was made for the admission of the applicants herein, or either of them, to citizenship in the Greek Nation.

Did you ever, at any time, go before the Council of the Greek Nation to be recognized as a citizen? A No sir; I was not called to.
Q Did you ever go before any Greek Court, the District Court to be recognized as a citizen? A No sir. My reason why because I never was called. They only (always) recognized as a citizen. I voted at elections, and they would have said something to me about it.
Q You did get on the roll at first? A My Town King told me all our business; he enrolled me.
Q Was it the Town King? A Called to the Council House and was

9 But you never did get the money? A No sir.

"Acts and Resolutions of the National Council of the Ku Klux Klan of 1893 and 1899, inclusive," compiled by A. F. McKeillop, examined, and on page 41 thereof appears the following:

Committee of Eighteen--appointment of Sec. 147. That a special committee, to be composed of six members from the House of Representatives and twelve members from the House of Senators, be appointed to take charge of the census rolls of the various towns and carefully examine same and ascertain whether or not they are correct, and if any of them are found to contain the names of non-citizens all such names shall be expunged from the rolls and reported separately to the National Council. All the acts of the special committee herein provided for shall be subject to the approval of the National Council.

Approved May 15, 1893.

for Capital Payment--who are entitled to participate in. Whereas, it has become notorious that by questionable and unjust methods and practices many non-citizens have heretofore been counted as citizens and participated in the per capita distribution of the public funds of the Nation; and

Whereas, such persons as have in this manner obtained a share in the payments of money of the Nation made to her citizens, claim that by such participation they have become fully recognized citizens thereof, entitled to all the rights, privileges and immunities incident thereto, which claim, if admitted, must eventuate in great injustice to bona fide citizens of the Nation; therefore

Sec. 148. The fact alone that any person has at any time participated in the per capita distribution of any of the public moneys of the Ku Klux Klan does not make of such a person a citizen of the Ku Klux Klan, entitled to the rights and privileges of recognized citizens thereof, and shall not by any authority of the Nation be accepted or construed as evidence sufficiently perfecting and establishing such claim.

Sec. 149. The committee of eighteen (18), appointed by act of the extraordinary session of Council approved May 15, 1893, to examine and correct the census rolls of 1893, are hereby instructed and directed to ascertain and consider any and all challenges and questions urged in good faith by any respectable citizen against the claim of any person to citizenship in this Nation, and strike from the rolls and preserve a correct list of all the names so stricken out and report the same to the present session of Council.

Sec. 150. All persons of Greek blood and all adopted citizens of any blood who reside in the Ku Klux Klan, and whose citizenship is not questioned, are hereby declared entitled to participate in the coming per capita payment.

Sec. 151. All persons residing in the surrounding Nations, whether Greek by blood or otherwise, who claim Greek citizenship, but have been recognized as citizens by the authorities of the Nation in which they reside,

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 2, 1908.

In the matter of the application for the enrollment of Muskogee
Moore, et al., as Creek Freedmen.

(NO APPEARANCES.)

Ezek Moore, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION:

Q What is your name? A Ezek Moore.
Q What is your age? A About 48 years old.
Q What is your postoffice address? A Muskogee.
Q Were you ever known by any other name? A Never.
Q Ezek Moore is your right name--have they ever called you
back? A No sir.
Q Have you any brothers and sisters in the Creek Nation? A Yes,
sir.
Q What are their names? A Martha Carr, Victoria Sherman, Isaac
Bryan, and Jerry, Mary and Ezek Moore.
Q That's yourself? A Yes sir.
Q How long have you lived in the Creek Nation? A All my life.
Q Did you ever give any money in any payment? A Yes sir.
Q Did you draw in 1890 or in 1891? A The first payment I drew
in 1890? A Yes sir.
Q Are you sure of that? A Yes sir.
Q They made a \$25 payment in 1890 and it was found that some
people had been left off and not paid, and another roll was made,
called "The Omitted Roll", and they paid \$25 to those people who
had not been paid. You drew in the first payment that was made?
A Yes sir.

The 1890 Antienticated Tribal Roll of the Creek
Nation examined and the name of Ezekiel Moore is not found
thereon. The 1891 Omitted Roll of said Nation examined
and the name of Ezekiel Moore is found thereon, at No.
229.

Q Did you draw the \$14.40 payment? A No sir; I didn't draw.
Q Why didn't you get it? A Went over the river and went to the
town clerk to take for an enrollment in Oklahoma and in some way or
other it was to be copied off in print and they did not do that,
so they would not pay me. It was not in print. But they said
they would hold it back to pay me off.
Q Did you know at the time that your name had been stricken from
the roll by the Committee of nineteen? A No sir.
Q When did you find out about it? A Last year or late; they gave
me an old print; it had the signature.
Q When you did not get that \$14.40 payment, didn't you raise a
case of any kind and tried to get it? A I went to them and said
they neglected to my name in prints for our money they had paid
away for me.

CR EN 300

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888 *

Waukegan, Indian Territory, August 24, 1903.

Chief Clerk,

Greek Land Office.

Dear Sir:

You are hereby advised that under date of August 12, 1903, the Department concurred in the recommendation of the Commission to the Five Civilized Tribes that the allotment as Greek freedmen of Stella Moore, Grant Moore and Maria Moore, opposite roll numbers 4386, 4387 and 4388, respectively be allowed to stand.

You are accordingly directed to proceed in the absence of other objection in the usual manner in the matter of making allotments of lands in the Greek Nation to said parties.

Respectfully,

Commissioner.

If the applicants are otherwise entitled to be enrolled as citizens of the Greek Nation, the striking of their names on the 1898 roll by the Committee of eighteen does not affect their rights.

The Commission following the ruling of the Department in the case of Frank London, et al. recommends that the enrollment as Greek freedmen of Stella, Grant, and Mamie Moore opposite Nos. 4386, 4387, 4388, respectively, be allowed to stand.

Upon consideration of the testimony in this case, a copy of which is herewith enclosed, and in view of the Department's ruling in the case of Frank London, et al., above referred to and in view of the further fact that the Commission considers these applicants entitled to enrollment as citizens of the Greek

Nation, even though their names were stricken from the rolls of said Nation as doubtful by the Committee of eighteen, I am of the opinion that they are entitled to enrollment as Greek freedmen, and therefore concur in the Commission's recommendation that the enrollment of Stella, Grant and Mamie Moore, as Greek freedmen be allowed to stand.

Very respectfully,

C. F. Larabee
Acting Commissioner

CTC WDW

not the descendants whose names appear on the roll of Greek
freemen made by J.W. Dunn prior to March 14, 1867; that the
names of Stella, Grant and Mamie Moore, and the name of their
father, Jerry Moore, appear on the 1891 omitted roll of the
Greek Nation, and on no other roll of citizens of said Nation.
It further appears that the names of Stella, Grant and Mamie
Moore, and the name of their father, Jerry Moore, were, in the
year 1895, stricken from the rolls of the Greek Nation as doubt-
ful by the Committee of Eighteen; that said Committee of
Eighteen were authorized by the acts of the Greek council approved
May 15 and 17 1895, to strike from said rolls the names of
persons found to be non-citizens; that the acts of said Committee
of Eighteen were subject to the approval of the National council,
and that its acts in striking the names of said Stella, Grant,
and Mamie Moore, and the name of their father, Jerry Moore, from
said rolls was on June 8, 1895, approved. It does not appear
from the evidence that the applicants have subsequent to that
date ever been enrolled as citizens of the Greek Nation, nor
have they, or any of them, or their father, Jerry Moore, ever
been admitted to citizenship in said Nation subsequent to said
date, by the Greek tribal authorities, the Commission to the
Five Civilized Tribes, or the United States Court in Indian
Territory. Nor does it appear that the applicants, or any of
them, have ever been recognized by any legally constituted
authority as having Greek blood, nor that they, or any of them
are the descendants of a person who was so recognized.
In the Greek case of Frank London et al., the Department

Refer in reply to the following
Land
46355-1905
DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington. July 17, 1905

The Honorable

The Secretary of the Interior.

Sir:

Permit me to invite your attention to a communication from the Commission to the Five Civilized Tribes, dated June 14, 1905, forwarding a copy of the testimony in the matter of the enrollment of Stella, Grant and Mamie Moore as Creek freedmen. On February 1, 1905 (I.T.D. 1030-1905), the Department reopened the matter of the enrollment of Stella Grant and Mamie Moore, on motions of the attorney for the Creek Nation. The names of these parties above referred to appear upon a partial list of Creek freedmen approved by the Department March 28, 1903, opposite Nos. 4386, 4387 and 4388. February 8, 1905, the parties in interest were informed of the action of the Department and were notified that on March 1, 1905, the Commission at its office in Muskogee, I.T. would hear such evidence as they might desire to submit relative to the right to enrollment of Stella Moore et al. February 24, 1905, Stella, Grant and Mamie Moore, in person, and the Creek Nation by attorney, appeared before the Commission and submitted evidence in the case. Further proceedings were had March 25, 1905. A copy of the evidence, which is enclosed herewith, shows that Stella, Grant and Mamie Moore are the children of Jerry Moore and Janet Moore, the latter a free citizen; that they are

#899

DEPARTMENT OF THE INTERIOR,

Washington

August 12, 1902

I.T.D 1030, 8474-1902

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

June 14, 1902, the Commission to the Five Civilized Tribes transmitted the testimony taken on the reopening directed by the Department February 1, 1902 (I.T.D. 1030), in the matter of the right to enrollment of Stella Moore, Grant, and Mamie Moore as Greek freedmen, whose names appear on the partial list of Greek freedmen approved by the Department March 28, 1902, opposite roll Nos.

4386, 4387 and 4388, respectively, to whom Greek deeds have been delivered as allottees, as appears from letter of the Commission dated March 14, 1904.

From the evidence submitted the Commission recommended, in view of the ruling of the Department in the Greek case of Frank London et al. (I.T.D. 3194-1905), that the enrollment as Greek freedmen of Stella Moore, Grant Moore, and Mamie Moore, opposite roll Nos. 4386, 4387 and 4388, respectively, be allowed to stand. July 17, 1905, the Acting Commissioner of Indian Affairs

reporting thereon, concurred in the recommendation of the Commission. A copy of his letter is inclosed. The Department concurs in the recommendation of the Commission and the Indian Office that the enrollment as Greek freedmen of Stella Moore, Grant Moore, and Mamie Moore, opposite roll Nos. 4386, 4387, and 4388, respectively, be allowed to stand. They are hereby declared Greek freedmen, entitled to enrollment.

Respectfully

Thos Ryan

Acting Secretary

I inclose

SECRET

A copy of the report is being furnished to the

Director of the Bureau of Investigation

for his information.

Very truly yours,

Special Agent

Commissioner

Commissioner

Very truly yours,

Director of the Bureau of Investigation

U.S. DEPT. OF JUSTICE

Secretary 2.

or any of them, or their father, Jerry Moore, have, subsequent to June 8, 1898, ever been enrolled as citizens of the Creek Nation, nor have they, or any of them, or their father, Jerry Moore, ever

been admitted to citizenship in said Nation, subsequent to said date, by the Creek tribal authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory; nor does it appear that the applicants, or any of them, have ever

been recognized by any legally constituted authority as having Creek blood, nor that they, or any of them, are the descendants

of a person who was so recognized.

In the Creek case of Frank London, et al., the Department

ruled (11 T.D. 3194-1908):

"If the applicants are otherwise entitled to be enrolled as citizens of the Creek Nation, the striking of their names from the 1898 roll by the Commission is without effect."

Following the ruling of the Department in said case of Frank London, et al., it is respectfully recommended that the enrollment of Creek freedmen of Stella Moore, Grant Moore and Maria Moore, opposite roll numbers 4386, 4387 and 4388, respectively, be allowed

to stand.

Secretary E.

offices; that they, or any of them, are not the descendants of a person whose name appears on the roll of Greek freedom made by J. W. Dunn prior to March 14, 1867; that the names of said Hellenic Grant and Hellenic Moore and the name of their father, Jerry Moore, appear on the 1881 United Roll of the Greek Nation, and on no other roll of citizens of said Nation in the possession of the

Commission.

It further appears that the names of said Hellenic Grant and Hellenic Moore and the name of their father, Jerry Moore, were, in the year 1885, stricken from the roll of the Greek Nation as doubtful by the Committee of Eighteen; that said Committee of Eighteen was authorized by acts of the Greek Council, approved May 16 and May 17, 1885, to strike from said roll the names of persons found to be non-citizens; that the acts of said Committee of Eighteen were subject to the approval of the National Council, and that its action in striking the names of said Hellenic Grant and Hellenic Moore, and the name of their father, said Jerry Moore, from said roll, was, on June 8, 1885, so approved. It is not apparent from the evidence that the applicants

CR 22 879

Managers, Indian Territory, June 14, 1905.

The Honorable,
The Secretary of the Interior.

Sir:

February 1, 1905. (I.T.D. 1030-1905). The Department, on motion

of the attorney for the Creek Nation, reopened the matter of the
enrollment of Stella, Grant and Mamie Moore, whose names appear
on the partial list of Creek Freedmen, approved by the Department
March 28, 1902, at numbers 4386 to 4388, inclusive.

February 8, 1905, the parties in interest were informed of
the action of the Department, and were notified that on March 1,
1905, the Commission, at its office, in Muskogee, Indian Territory,
would hear such evidence as they might desire to submit relative
to the right to enrollment of Stella Moore, et al.

February 14, 1905, Stella, Grant and Mamie Moore, in person,
and the Creek Nation, by attorney, appeared before the Commission
and submitted evidence in the case. Further proceedings were had

March 22, 1905.

The evidence shows that Stella, Grant and Mamie Moore are
the children of Jerry Moore and Nancy Moore, the latter a nee-

OR 7-1266

Managers, Indian Territory, March 29, 1905

A. B. Miller,

Chief Creek Land Office

Dear Sir:

February 1, 1905, the Department received the matter of the
right to enrollment of Stella, Grant and Maria Moore, whose names
appear on the partial list of Creek Freedmen approved by the base
of the Interior March 28, 1902, opposite numbers 4385,
4387 and 4388, respectively.

This office has been verbally informed by you that allotments
of land have been made to the above named parties and that deeds
for same have been delivered to the allottees.
You are directed to at once recall the deeds issued to said
allottees and to hold same pending the determination of the right
of said parties to citizenship in the Creek Nation.
You are further directed to inform this office when said
deeds have been returned; or in the event that they are not re-
turned within a reasonable time, to report what action you have
taken in compliance with this order.
Respectfully,

Chief

Ex. 297.

Waukegan, Indian Territory, March 17, 1908.

Stella Moore,

Waukegan, Indian Territory.

Dear Madam:

In the matter of the application for the enrollment of yourself and your brother, Grant Moore, and your sister, Marie Moore, as Green Freedmen, you are advised that the Commission desires further evidence in regard to the right to enrollment

of said persons.

You will be allowed fifteen days from date within which to produce such evidence before the Commission at its office in Waukegan, Indian Territory.

Respectfully,

Chairman.

(COPY)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, January 28, 1905.

Land.
5831-1905

The Secretary of the Interior.
The Honorable,

Sir:

Referring to Department letter of May 12, 1904 (I.T.D.
6830-1903, 3680-1904) there is inclosed herewith, the motion
of the Creek Nation to reopen the matter of the enrollment as
Creek Freedmen of Steila, Grant and Mamie Moore, accompanied
by the favorable recommendation of the Commission to the Five
Civilized Tribes.

Very respectfully,

C. F. Larabee

Acting Commissioner.

M. M. M.

W.

The motions, and a copy of Indian Office letter, are

inclosed herewith.

Respectfully,

(Signed) Thos. Ryan

Acting Secretary.

4 Inclosures.

(COPY)

1 P.

DEPARTMENT OF THE INTERIOR

WHR.

WASHINGTON

February 1, 1905

U.S. 3019-1905
I.S.D. 1030-1905
L.H.

Commission to the Five Civilized Tribes,
Muskegee, Indian Territory.

Gentlemen:

On the partial roll of Greek freedmen approved by the
Department March 28, 1902, appear the names of Stella, Grant
and Mamie Moore, numbers 4386, 4387 and 4388, respectively.

It appears from your letter of March 14, 1904, that
Greek deeds to these persons have been delivered to the allot-
tees.

January 20, 1905, you resubmitted motions by the
attorney for the Creek Nation, asking that the matter of the
enrollment of these persons be reopened, and you recommended
that the motions be granted, in which recommendation the Acting
Commissioner of Indian Affairs concurs, in his letter of January
26, 1905.

These cases are similar to that of Ezekiel and
Gertrude Moore, this day reopened by the Department in letter
to you. The matter of the enrollment of Stella, Grant and
Mamie Moore, as Greek freedmen, is hereby reopened. It is re-
quested that action in these cases and similar cases be made
special.

Moore...44.

Q Was the name of Jerry Moore and his family upon your roll? A the 1898 roll?
Q Yes? A They were stricken from the roll. I will tell you---
the Council instructed us in making up this 1898 roll of \$14.40
payment to strike off all the names of those that were dead and
those that were living to place on it, and to bring that up be-
fore the committee, which we did, and the Committee approved that
roll. Instead of doing that--just striking off Jerry Moore---
the officer struck off Jerry and all his children.
Q And that is the reason, then, that Jerry Moore and his family
are placed on the doubtful list? A We had no such instructions
by the council. I always thought they were alright. I never
knew there was any doubt about them at all.
Q You are familiar with the roll of the Greek Nation, are you not?
A I think so; I ought to be--I made the roll of my town.
Q I would like for you to state whether or not you are positive
that Jerry Moore was dead in 1898? A In 1898--the \$14.40 pay-
ment--Jerry Moore was dead, because he did not draw his money.
Q But all his children were on that roll and that I know.
Q Did the children of Jerry Moore get the \$14.40 payment? A Because
it was claimed that they had no regular right.

Attorney for applicants states that he has no further
evidence to offer.

Sora Ellen Parrish, being sworn on her oath states that as
stenographer to the Commission to the Five Civilized Tribes she
reported the above and that this is a full, true and correct
transcript of her stenographic notes in same.

Subscribed and sworn
to before me this 28th day
of March, 1908.

Notary Public.

A It could not be where a person was stricken from the roll.
It was on condition that he was stricken from the roll.

EXAMINATION BY A. S. McRAE:

Q You were a member of the Greek Council when these two acts were passed, were you not? A Yes, sir.
Q That Committee in passing upon the rights of citizens in the Greek Nation called the applicant before the committee and questioned him as to his rights---was it done by ex parte? A In the first place the Town King was instructed by the Council to place upon the records all that was supposed to be citizens of said Nation; Terry Moore and his children were all placed upon that record by the Town King of that town.
Q Who was Terry Moore's Town King at that time? A Gabriel Lamenon.
Q By your statement Terry Moore and his children were entitled to be enrolled as citizens of the Greek Nation were they not? A Yes, and they were.
Q State, if you know, why their names do not appear on the Authenticated Roll of 1893--at the time the \$14.40 payment was made? A In making up the roll of the 1893 Roll we were instructed by the Council to take off all the dead and place upon the roll all that were living. Terry Moore and his family appeared upon that roll.
Q Upon the 1893 Roll? A Yes.

Q State, if you know, whether Terry Moore, the father of the applicant hereinafter, was alive at the time the 1893 Roll was made? A At that time Terry Moore was dead.
Q Were there any powers delegated to you at that time as a member of the Greek Council to take any steps towards ascertaining who were dead, or any other official duty conferred upon you pertaining to persons who were members of your town? A Yes.
Q We were instructed by the National Council to ascertain off all the dead and to insert the names of those who were living. Terry Moore was dead at that time. We watched him aside.
Q Is that the reason that his name does not appear on the Authenticated Roll of 1893? A It is.
Q Did any one for or on behalf of his minor children apply to the Tribal Authorities to have these children's names placed upon the Authenticated 1893 Roll, as you know? A Not as I know, because I always thought they were all right.

EXAMINATION BY COMMISSION:

Q You were a member of the Greek Council in 1893, were you not? A Yes, a member of the House of Warriors.
Q How long have you been a member? A Fifteen years.
Q Were you a member of the Committee of Eighteen? A Yes, I was on that Committee. I was not a member of that Committee but I went before that committee with my roll.
Q What relation was Terry Moore to Lake Moore? A An uncle.
Q What relation was Terry Moore to Stella, Grant and Mamie Moore? A There are two Lakes---one is a son of Terry Moore.
Q Who is the other? A A nephew.
Q Has the Terry Moore, that you spoke of, a son named Lake? A Yes.

The records of the Commission examined and on old Census Card 93 appears the name of Terry Moore as the head of a family, and in said family appears the names of Stella, Grant and Mamie Moore. This Census was taken in 1897.

EXAMINATION BY A. S. McRAE:

Q You said you went before that committee with a roll--did that roll contain the names of persons who belonged to your town? A Yes.

a share in the payments of money of the Nation made to her citizens, claim that by such participation they have become fully recognized citizens thereof, entitled to all the rights, privileges and immunities incident thereto, which claim, if admitted, must eventually in great injustice to bona fide citizens of the Nation; therefore, Sec. 148. The fact alone that any person has at any time participated in the per capita distribution of any of the public money of the Muscogee Nation does not make of such a person a citizen of the Muscogee Nation, entitled to the rights and privileges of recognized citizens thereof, and shall not by any authority of the Nation be accepted or considered as evidence sufficiently perfecting and establishing such claim.

Sec. 149. The committee of eighteen (18), appointed by act of the extraordinary session of Council approved May 18, 1895, to examine and correct the census rolls of 1895, are hereby instructed and directed to entertain and consider any and all challenges and questions urged in good faith by any respectable citizen against the claim of any person to citizenship in this Nation, and strike from the rolls and preserve a correct list of all the names so stricken out and report the same to the present session of Council.

Sec. 150. All persons of Greek blood and all adopted citizens of any blood who reside in the Muscogee Nation, and whose citizenship is not questioned, are hereby declared entitled to participate in the coming per capita payment.

Sec. 151. All persons residing in the surrounding Nations, whether Greek by blood or otherwise, who claim Greek citizenship, but have been recognized as citizens by the authorities of the Nation in which they reside, are hereby deprived from participation in said per capita payment.

Approved May 17, 1895.

Said book is further examined and on pages 50 and 51 appears the following act:

"COMMITTEE ON."

Sec. 144. Committee, I. T., June 8, 1895.

Hon. National Council, M. N.:
Gentlemen:--We, your committee of eighteen, appointed to consider and correct the census rolls of the several towns, as handed in by the Town Chiefs, have examined and corrected the forty-seven rolls.

The aggregate number on the rolls is 13,841. The number omitted which were stricken from the rolls by the committee as doubtful is 619.

Having completed the work assigned us, we submit this report and asking that the report be adopted and committee discharged.

Respectfully,

M. J. Smith, Chairman.

Mildred McIntosh, Clerk.

Approved June 8, 1895.

List of 619 persons stricken from the rolls as doubtful by the committee of eighteen examined and the names of Jerry Moore, Stella Moore, Grant Moore and Maudie Moore are identified thereon in one family.

Where a person was stricken from the rolls by the committee of eighteen and that person did not apply to any other Committee or body to be reinstated to the roll or to the Greek Council, and was not reinstated to the roll, was that person considered a citizen?

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, INDIAN TERRITORY, MARCH 22, 1903.

Ex. 899.

--00000--

In the matter of the application for the enrollment of Stella,
Grant and Mamie Moore, as Greek Freedmen.

APPEARANCE: A. S. McRAE, Attorney for applicants.

WILEY MCINTOSH, being duly sworn, testified as follows:

EXAMINATION BY COMMISSION:

Q What is your name? A Wiley McIntosh. A
Q How old are you? A 42.
Q What is your postoffice address? A Muskogee, Indian Territory.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q Do you know Stella, Grant and Mamie Moore? A Yes.
Q Do you know their father? A I do.
Q What is his name? A Jerry Moore.
Q Do you know the name of their mother? A If I mistake not her
name is Jennie Moore.
Q She was an United States citizen was she not? A Yes.
Q Was Jerry Moore a Greek Indian or a Greek Freedman? A Greek
Freedman.

The 1891 Omitted Roll of the Greek Nation examined
and the name of Jerry Moore, the father of the applicants
herein, is identified thereon, but on none of the other
rolls of citizens of the Greek Nation in possession of
the Commission.

The Dunn Roll examined and the name of Jerry Moore
is not found thereon.

Acts and Resolutions of the Greek National Council,
from 1892 to 1900, examined and on page 41 thereof ap-
pears the following:

"COMMITTEE OF EIGHTEEN--APPOINTMENT OF

Sec. 147. That a special committee, to be composed of
six members from the House of Representatives and twelve members
from the House of War, be appointed to take charge of
the census rolls of the various towns and carefully examine
the same and ascertain whether or not they are correct, and
if any of them are found to contain the names of non-citizens
all such names shall be expunged from the rolls and re-
ported separately to the National Council. All the
acts of the special committee herein provided for shall be
subject to the approval of the National Council.

Approved May 12, 1895.

"PER CAPITA PAYMENT--WHO ARE ENTITLED TO PARTICIPATE IN.
Whereas, It has become notorious that by questionable
and unjust methods and practices many non-citizens have
heretofore been counted as citizens and participated in the
per capita distribution of the public funds of the Nation;
and,
Whereas, Such persons as have in this manner obtained

the act of a person who is not a member of the
club and who is not a member of the club
and who is not a member of the club

and who is not a member of the club
and who is not a member of the club
and who is not a member of the club

John D. [Signature]

Robert [Signature]

Official [Signature]

at [Signature] and [Signature]
to the [Signature] and [Signature]
[Signature]

Moore-----S.

Q Was you too young--is that the idea? A Yes, sir.
Q Have you any brothers and sisters? A Yes, sir.
Q What are their names? A Zeke, Mamie, and Grant.
Q Is Zeke sometimes known by the name of Zack? A Yes, sir.
Q He goes by both those names, does he? A Yes, sir.

By A. S. Moore:
Q How old were you when your father died? A About six.
Q Who had the care of your raising? A My father.
Q Anyone else besides your father? A Yes, sir, my grandmother.
Q I believe that you stated that you drew money from the Greek Tribal Authorities, is that correct? A Yes, sir.
Q Who drew that money for you? A Papa.
Q What is his name? A Jerry Moore.
Q Did he draw for all four of you? A Yes, sir.

By Commission:

The 1891 Omitted Roll of the Greek Nation examined and the names of Stella Moore, Grant Moore, and Mamie Moore are identified thereon at numbers 323, 324 and 325.
The 1890 Authenticated Roll, the 1895 Pay Roll and the 1895 Omitted Roll of the Greek Nation examined and the names of Stella, Grant and Mamie Moore not found thereon.
The 1895 Doubtful Roll examined and the names of Stella Moore, Grant Moore and Mamie Moore identified thereon.

By A. S. Moore:
Q About how long has your father been dead? A About seven years.
Q Was your father living when the 1895 Omitted Roll was made? A Yes, sir.
Q Were you living with him then? A Yes, sir.
Q Who had the care of you after your father's death? A My Aunt.
Q What is your aunt's name? A Victoria Sherman.
Q Is she a sister of your father's? A Yes, sir.
Q Do you know whether or not your father made application to be placed on the 1895 Omitted Roll? A No, sir, I do not know.
Q Can you state why none of your names appear on the 1895 Omitted Roll? A No, sir.
Q Have you any uncles? A Yes, sir.
Q Who are they? A Zeke Moore and Israel Bryant.
Q Was your father, Jerry Moore, and your aunt, Victoria Sherman, and your uncle Zeke Moore full brothers and sisters? A Yes, sir.

By Commission:

It appears from examination of the Tribal Rolls of the Greek Nation, in possession of the Commission, that Victoria Sherman is identified on the 1891 Omitted Pay Roll, Arkansas Town, at number 320; her name does not appear on the 1895 Doubtful Roll.

By A. S. Moore:
Q Do you know whether or not your father has always lived in the Greek Nation? A Yes, sir.
Q Has he, to your knowledge, ever lived out of the Greek Nation since the war? A No, sir.
Q You do not claim any right to citizenship through your mother? A No, sir.

0.7-1288

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
MUSKOGEE, INDIAN TERRITORY, FEBRUARY 24, 1908.

In the matter of the enrollment of Stella, Grant, and Mamie
Moore as Creek Freedmen.

On February 1, 1908, the Department granted a motion
of the Creek Attorney to re-open the matter of Stella
Moore, Grant Moore and Mamie Moore.
Parties in interest were notified that a re-hearing
would be had at the office of the Commission in Muskogee,
Indian Territory, March 1, 1908.
By consent of all parties in interest, who are present,
said re-hearing was had February 24, 1908.

APPEARANCES: T. H. CORB, representing Creek Nation.
A. G. Moore, Attorney for applicants.

STELLA MOORE, being duly sworn, testified:

By Commission:
What is your name? A Stella Moore.
What is your age? A I am nineteen.
What is your postoffice address? A Muskogee, Indian Territory.
What is the name of your father? A Jerry Moore.
What is your mother's name? A Rosey Moore.
Are either of your parents living? A No, sir, both are dead.
Were either of your parents citizens of the Creek Nation? A Yes, sir.
Which one? A My father.
What town did he belong to? A Muskogee.
To what Creek Indian town did he belong? A Muskogee.
Do you claim rights in the Creek Nation? A Yes, sir.
How do you claim this right? A By my father.
What do you claim your father was? A A citizen of the Creek Nation.
How-in what way was he a citizen of the Creek Nation? A No
answer.
Did he have any Indian blood? A I do not know.
Was your father a citizen by blood or a Creek Freedman? He was
a Creek Freedman.
Was he a slave? A I don't know.
Did you ever draw any money from the Creek Nation? A Yes, sir.
When did you draw money? A I have forgotten when it was.
Do you know whether your name is on any Tribal Roll of the Creek
Nation? A No, sir, I do not know exactly.
Do you know whether your name is on the 1890 Roll or the 1898
Tribal Roll of the Creek Nation? A Yes, sir, I guess it is.
Did you ever hear of the 1891 Omitted Roll? A No, sir.
Do you know anything about the Tribal Roll of 1890, 1898 or
Roll and Dues Roll? A No, sir.

CR EN 899

CR EN 899

Cr. P. 1336.

Muskogee, Indian Territory, July 8, 1903.

M. L. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that on June 29, 1903, the Department affirmed the decision of the Commission to the Five Civilized Tribes that the enrollment as Creek Freedmen of Gabriel Moore and his minor children, Rebecca, Beniah, Jennie and Margarette Moore, opposite approved roll numbers 4554, 4555, 4556, 4557 and 4558 be allowed to stand.

Respectfully,

Commissioner.

Cr. R. 1336.

Muskogee, Indian Territory, July 8, 1905.

Gabriel Moore,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that on June 29, 1905, the Department affirmed the decision of the Commission to the Five Civilized Tribes that the enrollment as Creek Freedmen of yourself and your minor children, Rebecca, Beniah, Jennie and Margarette Moore, opposite approved roll numbers 4554, 4555, 4556, 4557 and 4558 be allowed to stand.

Respectfully,

Commissioner.

Cr. W. 1336.

Muskogee, Indian Territory, July 8, 1908.

Watt S. Hawkins,

Clerk in Charge Creek Land Office,

General Office.

Dear Sir:

You are hereby advised that on June 20, 1908, the Department affirmed the decision of the Commission to the Five Civilized Tribes that the enrollment as Creek Freedmen of Gabriel, Rebecca, Beniah, Jennie and Marguerite Moore, approved roll numbers 4554, 4555, 4556, 4557 and 4558, be allowed to stand. In the absence of further objection you will proceed in the usual manner in the matter of making allotments of land in the Creek Nation to said persons.

Respectfully,

Commissioner.

Refer in reply to the following:
Land: 47187-1905.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, June 28, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letter of May 12, 1904 (I.T.D.
28-1903 and 2704-1904) I have the honor to enclose a report from
the Commission to the Five Civilized Tribes, dated June 16, 1905,
in the matter of the application for enrollment as Creek Freedmen
by Gabe Moore et al.

Very Respectfully,

C. E. Larabee,

Acting Commissioner.

M. M. W.

the descendants of a person who was so recognized. Referring to the Greek case of Frank London, et al., in which the Department stated that "If the applicants are otherwise entitled to be enrolled as citizens of the Greek Nation, the striking of their names from the 1895 roll by the Committee of Fifteen does not affect their rights." You recommend that the enrollment as Greek Freedmen of said claimants on the approved partial roll, opposite Nos. 4554, 4555, 4556, 4557 and 4558, be allowed to stand.

The principal applicant and other witnesses swear that the principal applicant's father was a citizen of the Greek Nation, a Greek Freedman. The principal applicant was born in 1871. Following the ruling in the London case, your recommendation is concurred in.

A copy of the Indian Office letter of June 22, 1905, accompanying your report, is inclosed.

Respectfully,

(Signed) E.A. Hitchcock,

Secretary.

1 inclosure.

TP. THE. IRS.

I.T.D. 7702-1905.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, June 29, 1905.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

February 1, 1905, the Department reopened the Creek
enrollment case of Gabe Moore and his minor children, Rebecca,
Benjamin, Jennie and Margaret Moore, upon the request of the
attorney for the Creek Nation.

It appears from your letter of June 16, 1905, that on the
date set for rehearing by you in the matter, no appearance was made
on behalf of the Nation.

It is shown that Gabe Moore's name appears upon the 1891
omitted roll of the Creek Nation; that his name in 1895 was stricken
from the roll of the Nation as doubtful by the Committee of Eighteen.
The Committee of Eighteen was authorized by acts of the Creek Council
to strike from said roll the name of persons found to be non-citizens.
The acts of the Committee were subject to the approval of the Nation-
al Council. Its action in striking the name of Gabe Moore from the
roll was on June 8, 1895, so approved.

You state that it does not appear that the applicants, or
any of them, have ever been recognized by any legally constituted
authority, as having Creek blood, nor that they, or any of them are

Secretary &

a copy of the record in the case is herewith enclosed for
Departmental consideration.

Respectfully,

COMMISSIONER TO THE NINE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Through the
Commissioner of Indian Affairs.

17M-2-6

Secretary S.

been enrolled as citizens of the Creek Nation, nor have they, or any of them, ever been admitted to citizenship in said Nation, subsequent to said date, by the Creek tribal authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory; nor does it appear that the applicants, or any of them, have ever been recognized by any legally constituted authority as having Creek blood, nor that they, or any of them, are the descendants of a person who was so recognized. In the Creek case of Frank London, et al. the Department

ruled (I.T.D. 3194-1905):

"If the applicants are otherwise entitled to be enrolled as citizens of the Creek Nation, the striking of their names from the 1898 roll by the Committee of Eighteen does not affect their rights."

Following the ruling of the Department in said case of Frank London, et al., it is respectfully recommended that the enrollment as Creek persons of said Gabe Moore, Hobson Moore, Beniah Moore, Jannia Moore and Margaret Moore, opposite Roll Nos. 4584, 4585, 4586, 4587 and 4588, respectively, be allowed to

stand.

The evidence shows that said Hebrews, Daniels, Jennie and Marguerite Moore are the minor children of said Gabe Moore; that the name of said Gabe Moore appears on the 1891 United Roll of the Truck Nation, and on no other roll of citizens of said Nation in the possession of the Commission; that the names of his said minor children do not appear on any roll in the possession of the Commission.

It further appears from the evidence that the name of said Gabe Moore was, in the year 1898, stricken from the rolls of the Greek Nation as doubtful by the Committee of eighteen; that said Committee of eighteen was authorized by vote of the Greek Council, approved May 12 and May 14, 1898, to strike from said rolls the names of persons found to be non-citizens; that the vote of said Committee of eighteen was subject to the approval of the National Council, and that the action in striking the name of said Gabe Moore from the rolls was, on June 8, 1898, approved. It does not appear from the evidence that the applicants herein, or any of them, have, subsequent to June 8, 1898, ever

of the 1908

Enrollment, Indian Territory, June 16, 1908.

The Honorable,

The Secretary of the Interior.

Sir:

February 1, 1908 (I.T.D. 988-1908), the Department, on motions of the attorney for the Creek Nation, reopened the matter of the enrollment of Gabe, Hobbes, Benish, Janna and Kargisto Moore, whose names appear on the partial roll of Creek Freedmen, approved by the Department March 28, 1903, opposite numbers 4564 to 4568, inclusive.

February 8, 1908, Gabe Moore and the attorney for the Creek Nation were notified that on March 1, 1908, the Commission, at its office, in Muskogee, Indian Territory, would hear such evidence as they might desire to submit relative to the right to enrollment of said Gabe Moore et al. as Creek Freedmen.

March 1, 1908, with the consent of the Nation in interest, the case was continued until March 3, 1908. On said latter date Gabe Moore appeared before the Commission and submitted evidence in said case. No appearance was made on behalf of the Creek Nation.

Washington, Indian Territory, March 23, 1906.

E. B. Miller.

Chief Clerk Creek Land Office.

Dear Sir:

Reference is made to the letterhead memorandum of the Department of the Interior, dated March 23, 1906, and to the letterhead memorandum of the Department of the Interior, dated March 23, 1906.

Right to enrollment of U.S. citizens, British, French and
Margaret Moore, whose names appear on the partial list of
citizens approved by the Secretary of the Interior March 23, 1906,
composite numbers 4554, 4555, 4556, 4557 and 4558, respectively.
This office has been verbally informed by you that the

of land have been made to the above named parties and that

for names have been delivered to the

You are directed to at once recall the deeds issued to

efficiency and to hold same pending the determination of the

of said parties to citizenship in the Creek Nation.

You are further directed to inform this office when said

deeds have been returned; or in the event that they are not

turned within a reasonable time, to report when you have

been in compliance with this order.

Very truly,
Respectfully,

How

| |
|-------------------------------------|
| REPLY IN BLUE INK TO THE FOLLOWING: |
| En. 898. |

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

COMMISSIONERS:
TAMM BERRY,
THOMAS B. HENDLES,
C. E. BRIDGEMAN,
WM. O. REALL,
Secretary.

Muskogee, Indian Territory, March 17, 1905.

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

Dear Sir:
Muskogee, Indian Territory.
Garriel Moore,

In the matter of the application for the enrollment
of yourself and minor children as Creek Freedmen, you are
advised that the Commission desires further evidence in regard
to the citizenship of your parents.
You will be allowed fifteen days from date within
which to produce such evidence before the Commission at its office
in Muskogee, Indian Territory.

Respectfully,



Chairman.

4214

| |
|----------------------------------|
| REPLY IN REPLY TO THE FOLLOWING: |
| En. 898. |

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

COMMISSIONERS.
TAMM BIXBY.
THOMAS B. NEEDLES.
C. R. BRACKENRIDGE.
WM. O. BEALL.
Secretary.

Muskogee, Indian Territory, February 8, 1905.

Gabe Moore,

Muskogee, Indian Territory.

Dear Sir:

February 1, 1905, the Department reopened the matter of the right to enrollment of yourself and your children, Rebecca, Beniah, Jennie and Margarette Moore as citizens of the Creek Nation, on motion of the attorney for the Creek Nation.

You are hereby notified that on March 1, 1905, the Commission will, at its office in Muskogee, Indian Territory, receive such evidence as you may desire to submit relative to the right to enrollment of yourself and children as citizens of the Creek Nation. At the same time and place the Creek Nation will be allowed to introduce evidence in the case.

Respectfully,

Chairman.

Register.

A copy of the Acting Commissioner's letter, and said
motions, are herewith inclosed.

Respectfully,

(Signed) Thos. Ryan

Acting Secretary.

8 inclosures.

[COPY]

1 P.

DEPARTMENT OF THE INTERIOR,

WASH.

WASHINGTON.

February 1, 1905.

D.C. 2817-1905.
I.T.D. 288-1905.
LRS.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

On the partial roll of Creek Freedmen approved by the
Department March 28, 1902, appear the names of Gabe, Rebecca,
Beniah, Jennie and Margaret Moore, numbers 4554 to 4558, in-
clusive. It appears from your report of March 15, 1904, that
Creek deeds to these persons have been delivered to the allot-
tees.

May 12, 1904, the Department returned to you for
further consideration, report and recommendation, motions by the
attorney for the Creek Nation to have these cases reopened.
January 20, 1905, you resubmitted the motions, and
recommended that they be granted, in which recommendation the
Acting Commissioner of Indian Affairs concurs, in his letter of
January 26, 1905.

These cases are similar to that of Ezekiel and Gertrude
Moore, this day reopened by the Department by letter to you.
The matter of the enrollment of Gabe, Rebecca, Beniah, Jennie and
Margaret Moore is hereby reopened. It is requested that hearings
be had in these cases as soon as practicable.

(COPY)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, January 28, 1905.

Land.
8838-1905.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to Department letter of May 12, 1904 (I.T.D.
8828-1905, 2004-1904) there is enclosed the motions of the
Greek Nation to reopen the matter of the enrollment of Gabe,
Rebecca, Benish, Jennie and Markwite Moore, accompanied by
the favorable recommendation of the Commission to the Five
Civilized Tribes.

Very respectfully,

C. F. Latta

Acting Commissioner.

W.
M. M.

Secretary 4.

The motions of the Creek Attorney are herewith enclosed.

Respectfully,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Through the
Commissioner of Indian Affairs.

1881-76.

Secretary 2.

minor children of said Gabe Moore and of Annie Moore, a non-
citizen, and that the names of none of said minor children appear
on any roll of the Creek Nation in the possession of the Comma-
sion.

An the record now stands, the only point involved in this
case is the weight to be given to the 1893 Doubtful Roll in case
it is shown that said Gabe Moore and the Gabe Moore whose name
appears on said Doubtful Roll are one and the same person. This
point is not covered by the ruling of the Department in the
case of Cheney Trent, et al.

It is, therefore, recommended that the motions of the
Attorney for the Creek Nation that the matter of the right to
enrollment as Creek freedmen of said Gabe Moore, Rebecca
Moore, Henshaw Moore, Jennie Moore and Margaret Moore be re-
opened, be granted.

Secretary E.

motion of the Nation be granted.

May 12, 1904, the Department returned to the Commission the motion of the Attorney for the Creek Nation for further consideration, report and recommendation, stating in its letter of transmittal that without further information, especially in view of the decision of the Department of May 7, 1904, in the case of Chancy Trent, et al., which did not sustain the decision of the Commission in that case, the Department did not consider it proper to grant the request of the Nation.

The Commission has further examined the records in the case of said Gabe Moore, Rebecca Moore, Beniah Moore, Jennie Moore and Margaret Moore and finds that it does not appear that said Gabe Moore has ever been recognized by any legally constituted authority as having Creek blood, nor that he is the descendant of a person who was so recognized, nor is it shown that his name appears on the Dunn Roll, nor on any roll of the Creek Nation other than the 1891 Omitted Roll and the 1895 Doolittle Roll.

The records of the Commission further show that said Rebecca

Moore, Beniah Moore, Jennie Moore and Margaret Moore, are the

7 inclosures.

Acting Secretary.

Thos Ryan.

March 28, 1904, in the matter, are inclosed.
Copies of Indian Office letters of September 18, 1903, and
report and recommendation.
The motions are, however, returned for further consideration,
which did not sustain your decision in that case, the De-
partment does not consider it proper to grant the request of the
nation. Without further information, especially in view of the de-
cision of the Department of May 7, 1904, in the case of Cheney Trent
et al., which did not sustain your decision in that case, the De-

the nation be granted.
the case of Cheney Trent, et al., you recommended that the motions of
cy, of the status of the case. In view of the report made by you in
however, you had informed the United States Indian Agent, Union Agen-
informed that the deeds had been delivered to the allottees; that
delivered to the Principal Chief, and that you had been verbally
his children, for lands in the Creek Nation, had been executed and
On March 15, 1904, you reported that deeds to lands and
doubtful roll.

to the Department, Gabe Moore had not been identified on the 1895
Eighteen as doubtful, as approved by the National Council June 3,
as he is one of the 619 stricken from the rolls by the Committee of
as the name of Gabe Moore appears upon the 1895 doubtful roll, and
proved March 28, 1902, numbers 4584 to 4588, inclusive, be returned,
Jennie and Marguerite Moore, as Creek Freedmen, on partial roll ap-
of the enrollment of Gabe Moore, and his children, Rebecca, Beniah,
motions by the attorney for the Creek Nation, asking that the matter
On September 4, 1903, you submitted, without recommendation,
Gentlemen:

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

IRS

I.T.D. 6828-1903.
2704-1904.

DEPARTMENT OF THE INTERIOR,

COPY

May 12, 1904.

THE
J.P.

OFFICE OF THE SECRETARY
DEPARTMENT OF THE INTERIOR
WASHINGTON, D.C.

18432-1904.
18432-1904.
18432-1904.

Washington, March 24, 1904.

The Honorable,
The Secretary of the Interior.

Sir:

I have the honor to enclose herewith a report from the Commission to the Five Civilized Tribes, dated March 1, 1904, in relation to the enrollment of the Creek Nation, which states that the matter of the enrollment of Gabe Moore and his four minor children, James, Robert, Thomas, and Margaret Moore, is a citizen of the Creek Nation and is recommended. Their names, it seems are contained in certain rolls of Creek freedmen approved March 23, 1903, opposite Nos. 4584 to 4588 inclusive. Books to these people for lands in the Creek Nation have been executed and delivered to the Principal Chief for delivery to the allottees and the Commission say that they received verbal information that said deeds have been delivered to the allottees. They also say that Agent Shoeneft has been advised of the present status of this case, and recommend, in view of their opinion and report in the Cheney Trent case, the allowance of the motion.

By reference to office report of March 24, 1904, transmitting the record in the Cheney Trent case, it will be seen that the office does not wholly agree with the position of the Commission in the case. However, as it does not seem that the attorney for the Creek Nation desires that the Department take any action concerning the cancellation of the deeds heretofore delivered to these parties and only wishes that the matter of their enrollment as Creek freedmen be reopened, it is believed that the motion should be granted and the office so recommends.

It is stated in the Commission's report that the motion is on closed. It was not received in this office, but it is believed that the statement of the Commission concerning the filing of the same is sufficient to warrant the Department in allowing the motion, if such action is considered proper.

In connection herewith attention is respectfully invited to Department letter of July 15, 1903, (I.T.D. 5880-1903) approving a Creek deed between one Gabe Moore and his children, pertaining to convey the W/2 of the NE/4 and the NW/4 of the NE/4 of Section 9, Township 13 North, Range 17 East, T20 S, Creek Nation, consideration \$60.00.

Very respectfully,
A.C. Tanner,

Acting Commissioner.

GAW:IM
3 enclosures.

1328-1370-1318
1328
X

Waukegan, Indian Territory, February 18, 1904.

P. L. Newton,

Waukegan, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of February 6, enclosing a communication signed by Gabe Moore, Zack Moore, Jr., Will Moore, Stella Moore, Zack Moore, Jr. and Mayne Moore requesting that you be recognized as their attorney in any matter concerning their interests which may come before the Commission.

In reply you are advised that Stella Moore, Will Moore, Maymie Moore and Gabe Moore are listed for enrollment as Creek Freedmen and you have been entered as their attorney.

It does not appear from the records of the Commission that Zack Moore, Jr. or Zack Moore, Sr., or either of them, have been listed for enrollment as citizens of the Creek Nation. It does appear that Mackel Moore is so listed.

Respectfully,

Commissioner in Charge.

COPY

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
Washington, Sept. 18, 1903.

LAND
87705-1903.

The Honorable
The Secretary of the Interior.

Sir: I have the honor to submit letter of the Commission to the Five Civilized Tribes of the 4th instant, reporting that the names of Gabe Moore and his four minor children, Rebecca, Benjamin, Jennie and Margarette Moore, are contained in the partial list of Creek freedmen approved March 28, 1902, Nos. 4554 to 4558 inclusive. The Commission states that the name of Gabe Moore appears on the 1891 omitted roll of the Creek Nation and on the 1895 doubtful roll. At the time this list was transmitted to the Department he had not been identified on the latter roll. His minor children are not identified on any of the tribal rolls of the Creek Nation in the possession of the Commission. August 22, 1903, the Attorney for the Creek Nation filed motions as to each of these parties, asking that the matter of their enrollment be reopened and the motions are transmitted by the Commission for Departmental consideration. Undoubtedly the condition of the rolls of the Creek Nation, with reference to these persons, was known at the time they were enrolled and the Commission must have had some reason for its action, but in its letter forwarding the motion for a reopening it makes no statement relative to the facts on which it acted, nor does it make a recommendation as to whether in its judgment the motions should be granted. I therefore recommend that the matter be returned to the Commission for a statement of facts and a recommendation. Very respectfully,

W. A. Jones

Commissioner.

E. F. H. (B)

Wherefore, your petitioner prays that said case be reopened that further evidence may be submitted relative to the right of the applicant to enrollment and if found not to be a citizen of the Greek Nation, she be stricken from the approved roll.

A. P. Murphy

National Attorney.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

--000--

In the matter of the application of Jennie Moore as a
citizen of the Creek Nation.

MOTION TO REOPEN.

Now comes the Creek Nation and represents to the Commission that Gabe Moore was enrolled by the Commission and appears on approved roll #4554.

Your petitioner further represents that the said Gabe Moore is not a citizen of the Creek Nation; that his name appears upon the 1895 Doubtful Roll of said Nation and he is one of the 619 stricken from the rolls by the committee of eighteen, as doubtful, as approved by the National Council, on June 8, 1895. Said doubtful persons so stricken from the rolls were not regarded as citizens from that time, but were required to establish their rights to citizenship thereafter. That the said Gabe Moore was never admitted to citizenship in the Creek Nation by any legal authority legally authorized so to do. Your petitioner further represents that Jennie Moore is the daughter of Gabe Moore, and has been listed for enrollment by the Commission and appears on approved roll #4557; that she was admitted to enrollment by virtue of being the daughter of Gabe Moore, as aforesaid. That the said Gabe Moore not being a citizen of the Creek Nation the applicant would not be entitled to enrollment. That the applicant has never been admitted to citizenship in the Creek Nation by any authorized legal tribunal.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED

Ordinary, 1882
[Signature]

Handwritten signature

RECEIVED
COMMISSION TO THE STATE CHIEF OF POLICE
DEPARTMENT OF THE INTERIOR

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---000---

In the matter of the application of Gabe Moore as a
citizen of the Creek Nation.

MOTION TO REOPEN.

Now comes the Creek Nation and represents to the Commission that Gabe Moore has been listed for enrollment as a citizen of the Creek Nation and is on approved roll #433. Your petitioner further represents that the said Gabe Moore is not a citizen of the Creek Nation, as he is represented himself to be to your Commission. He is the identical person whose name appears upon the 1895 Doubtful Roll of said Nation and is one of the 619 as stricken from the roll by the committee of eighteen, as doubtful, as approved by the National Council, June 8, 1895. That those so stricken from the roll as doubtful were not regarded as citizens of the Creek Nation until their rights had been fully established by legal authority, as provided by law. The said Gabe Moore has never been admitted to citizenship in the Creek Nation since that time by any authority legally authorized so to do. Wherefore, your petitioner prays that said name be reopened that further evidence may be submitted relative to the status of the applicant to enrollment and it found not to be a citizen of the Creek Nation, he be stricken from the approved roll.

A. Murphy
National Attorney.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

Sept 25, 1898

U.S. DEPT. OF THE INTERIOR

Department of the Interior,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment as a citizen of the
Nation, *Arctic*
of *Arctic*, born on the 10 day of *March*, 1892.
Name of father: *John Moore*, a citizen of the *Arctic* Nation.
Name of mother: *Anna Moore*, a citizen of the *United States*.
Post Office: *Arctic*.
AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
Territory,
District.

I, *Anna Moore*, on oath, state that I am
citizen, by *Arctic* of the
lawful wife of *John Moore*, who is a citizen, by *Arctic* of the
Nation; that a *female* child was born to me on the 10 day
of *March*, 1892; that said child has been named
Arctic and is now living.

Subscribed and sworn to before me this 13 day of *June*, 1892.
W. J. Smith
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
Territory,
District.

I, *W. J. Smith*, a *midwife*, on oath, state that I
attended on Mrs. *Anna Moore*, wife of *John Moore*,
on the 10 day of *March*, 1892; that there was born to her on said date a *female* child;
that said child is now living and is said to have been named
Arctic.
Subscribed and sworn to before me this 13 day of *June*, 1892.
W. J. Smith
Notary Public.

Alfred #336

IN RE
Application for Enrollment of
INFANT CHILD.

Robert Moore
As a citizen of the

United States
Nation.

Approved *James I. 1897*

Commissioner.

Department of the Interior

COMMISSION TO THE FIVE CIVILIZED TRIBES

IN RE Application for Enrollment as a citizen of the
Nation, *Seneca*
of *Seneca*, born on the *1st* day of *April*, 18*97*.
Name of father: *John Moore*, a citizen of the *Seneca* Nation.
Name of mother: *Ann Moore*, a citizen of the *United States*.
Post Office: *Seneca, Ind. Ter.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District.
I, *Ann Moore*, on oath, state that I am the mother of *Seneca*, a child of the *Seneca* Nation; that I am the lawful wife of *John Moore*, who is a citizen of the *United States*; that a female child was born to me on the *1st* day of *April*, 18*97*; that said child has been named *Seneca Moore*, and is now living.

Subscribed and sworn to before me this *13th* day of *June*, 18*99*.
Wm. H. [Signature]
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District.
I, *Wm. H. [Signature]*, a *Physician*, on oath, state that I attended on Mrs. *Ann Moore*, wife of *John Moore*, on the *1st* day of *April*, 18*97*; that there was born to her on said date a female child; that said child is now living and is said to have been named *Seneca Moore*.
Subscribed and sworn to before me this *3rd* day of *June*, 18*99*.
Wm. H. [Signature]
Notary Public.

Att. card #1336

IN RE

Application for Enrollment of

INFANT CHILD.

Donald Moore

As a citizen of the

Nation.

Don

Approved *June 19th 1911*

Commissioner.

Gabriel Moore, et al. ...#8.

Applicant states that he has no further evidence to offer.

Zeta Allen Parrish, being sworn on her oath states that as stenographer for the Commission to the Five Civilized Tribes she reported the above case and that this is a full, true and correct transcript of her stenographic notes in same.

John B. Smith

Subscribed and sworn to before me this
11th day of March, 1905.

John B. Smith
Notary Public.

Garriel Moore, et al.....45.

Q There was some mistake---so we didn't worry any more about it.
Q Did you ever hear whether they got the \$14. payment? A No, they
never got it. They applied there but it was just like we come
here; they were not ready and could not take up that case---they
never did give us any satisfaction---it was just like it is now
they took us out of about \$50.00---people are always looking you
out of your money and you never get any satisfaction at all.
Q Did they ever go before the Gilbert Commission that you know?
A At Vinita?
Q Yes? A No, we did not go there---and two or three more looked
us out of about \$50.00, and so when the Commission met at the
Court House we went up there---but we thought that we were right
all the time.
Q If you thought you were right what did you go before the Commis-
sion for? A We did not know it until just before that payment
and when we went for that this doubtful business come up, and
then we applied for investigation but never could get it.
Q To whom did you apply? A The Gilbert Commission. In that time
you could get a man from here to lead to your business---at that
time Grandfather was old---we could not leave her---and we not
William McIntosh to tend to it for us, and they said it was all
right, and that we did not need to go before them.

VICTORIA SHERMAN, being duly sworn, testified as follows:

EXAMINATION BY COMMISSION:

Q What is your name? A Victoria Sherman.
Q How old are you? A 57.
Q What is your postoffice address? A Muskogee.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q Do you know Garrie Moore? A Yes, sir.
Q Is he sometimes called Garriel Moore? A Yes, sir.
Q Is he any relation to you? A Yes, sir, nephew.
Q How long have you known him? A All his life, sir.
Q Has he lived in the Creek Nation all his life? A Yes, sir.
Q What is his father's name? A Jerry Moore.
Q Do you know anything about how Garrie Moore came to get on the roll
of the Creek Nation? A He was put on there by his father.
Q Was his father a citizen of the Creek Nation? A Yes, sir, his
father was a citizen and Garrie was bound to be one too.
Q Did they apply to the Council to be put on the roll or did the
Town bring him on there? A I know nothing about it.
Q Were Garrie Moore and his father considered as Indians by blood or
as Creek Freedmen? A Freedmen.
Q Were they ever recognized by the Council as Indians by blood that
you know of? A I do not know.
Q Have you anything more you wish to state that you know about
Garrie? A I have nothing more to say.

PATSY MCINTOSH, being duly sworn, testified as follows:

EXAMINATION BY COMMISSION:

Q What is your name? A Patsy McIntosh.
Q How old are you? A 63.
Q What is your postoffice address? A Muskogee.
Q Do you know Garriel Moore? A Yes, sir.
Q Is he related to you? A Yes, he is my Aunt's grandchild.
Q Do you know how Garriel Moore ever got on the roll of the Creek
Nation? A No, sir.
Q Do you know whether he was regarded as a Freedman or an Indian
by blood? A Freedman.
Q Was his father a Freedman or an Indian by blood? A Bound to be
a Freedman---never was a slave---always was free.

Gabriel Moore, et al....45.

by act of the extraordinary session of Council approved May 15, 1895, to examine and correct the census rolls of 1895, are hereby instructed and directed to ascertain and consider any and all challenges and questions urged in good faith by any respectable citizen against the claim of any person to citizenship in this Nation, and strike from the rolls and preserve a correct list of all the names so stricken out and report the same to the present session of Council.

Sec. 130. All persons of Greek blood and all adopted citizens of any blood who reside in the new Nation, and whose citizenship is not questioned, are hereby declared entitled to participate in the coming per capita payment.

Sec. 131. All persons residing in the surrounding Nations, whether Greek by blood or otherwise, who claim Greek citizenship, but have been recognized as citizens by the authorities of the Nation in which they reside, are hereby debarred from participation in said per capita payment.

Approved May 17, 1895.

On page 30 of said book appears the following act:

"COUNCIL REPORT ON."

Sec. 124. Committee, I.T., June 8, 1895.

Hon. National Council, N.M.:

Gentlemen--We, your committee of eighteen, appointed to consider and correct the census rolls of the several towns, as handed in by the Town Chiefs, have examined and corrected the forty-seven rolls.

The appropriate number on the rolls is 13,841.

The number enrolled which were stricken from the rolls by the committee as doubtful is 619.

Having completed the work assigned us, we submit this report and asking that the report be adopted and committee discharged.

Respectfully,
M.T. Smith, Chairman.

Witnessed at Council, Clerk.
Approved June 8, 1895.

List of 619 persons stricken from the rolls by said committee as doubtful, commonly known as the Doubtful Roll, is examined and in Arkansas Town among others appear the following names in one family: Jerry Moore, Gabriel Moore, Rachael Moore, Grant Moore, Willie Moore, Sr., Willie Moore, Jr., Lennie Moore and Stella Moore. And also standing by themselves but immediately following the Moore family, above named, appear the names of Zack and Israel Moore.

Q Did you after 1895 ever apply to the Greek Council or any Commission to be reinstated to the rolls? A I don't know.

Records of the proceedings of the Gilbert Commission examined and it does not appear that application was ever made to said Commission for the admission of the applicants herein, or any of them, to citizenship in the Greek Nation.

Q In 1895 did you appear before this Commission and make application to be enrolled? A I guess it was about that time.
Q About three years before that time, in 1892, did you appear before this Commission and ask to be admitted to citizenship--say after the \$14.00 payment? A My folks were here; I was not living here then.

Q Do you know whether you did or not? A No, I do not know.
about it.
Q Did you draw the \$14.00 payment in 1895? A I do not know anything
a Greek Indian by blood? A Not that I know.
Q Was your father, Jerry Moore, ever recognized by the Council as
blood? A No, sir.
Q Were you ever recognized by the Council as a Greek Indian by
freedman.
Q Are you a Greek freedman or a Greek Indian by blood? A Greek
was small and had nothing to do with that.
Q Did you apply to the Council yourself to be recognized? A No, I
citizens? A I guess so.
Q Were you ever recognized by the Council of the Greek Nation as a
father did all the attending to that.
in the year 1891, which one did you draw your money in? My
who had been left off that roll, that was some few months later--
payment in 1890, and later on there was a payment made to those
At the time of the \$29.00 payment -- the Greek Nation made a
Did he draw any money when the \$29.00 payment was made? A Yes, sir.
Q Was he living at the time of the \$14.00 payment? A Yes, sir.

The 1895 Pay Roll and the 1895 Omitted Roll of the Greek Nation examined, and the names of none of the applicants herein found thereon.

subject to the approval of the National Council. The special committee herein provided for shall be and reported separately to the National Council. All the citizens all such names shall be expurgated from the rolls and if any of them are found to contain the names of non- the same and ascertain whether or not they are correct, the census rolls of the various towns and carefully examine from the House of Warriors, be appointed to take charge of six members from the House of Kings and twelve members Sec. 147. That a special Committee, to be composed of "COMMITTEE OF EIGHTEEN"---APPOINTED OF

Approved May 15, 1895.

Sec. 149. The committee of sixteen (18) appointed tabling such claim.

or construed as evidence sufficiently protesting and as- and shall not by any authority of the Nation be accepted to the rights and privileges of recognized citizens thereof, such a person a citizen of the Muskegoe Nation, entitled the public moneys of the Muskegoe Nation does not make of time participated in the per capita distribution of any of Sec. 148. The fact alone that any person has at any bona fide citizens of the Nation; therefore, claim, if admitted, must eventuate in great injustice to rights, privileges and immunities incident thereto, which some fully recognized citizens thereof, entitled to all the per citizens, claim that by such participation they have be- a share in the payments of moneys of the Nation made to Whereas, Such persons as have in this manner obtained

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, INDIAN TERRITORY, MARCH 3, 1905.

-00000-

In the matter of the application for the enrollment of
Gabriel Moore, et al., as Creek Freedmen.

February 1, 1905, Department on motion of the
Attorney for the Creek Nation reopened the matter of
the enrollment of Gabe, Rebecca, Beniah, Jennie and
Marguerite Moore, as Creek Freedmen.
February 8, 1905, Gabe Moore and the attorney for
the Creek Nation were notified that on March 1, 1905,
the Commission, at its office in Muskogee, Indian
Territory, would receive such evidence as they might
desire to submit, relative to the right to enrollment
of said parties.
On March 1, 1905, with consent of all parties in
interest the case was continued until March 3rd.

GABRIEL MOORE, being duly sworn, testified as follows:

EXAMINATION BY COMMISSION:

- Q What is your name? A Gabe Moore.
Q How old are you? A 34.
Q What is your postoffice address? A Muskogee.
Q Are you the father of Rebecca, Beniah, Jennie and Marguerite
Moore? A Yes, sir.
Q What is the name of their mother? A Annie Moore.
Q Did they all have the same mother? A Yes, sir.
Q Was she a citizen of the Creek Nation? A No, sir.
Q Any rights that these children may have come through you then,
do they not? A Yes, sir.
- Tribal Roll of the Creek Nation in possession of the
Commission examined and the name of Gabe Moore is found
on the 1891 Omitted Roll of Arkansas Town, Number 331,
and on none other of said rolls.
The names of Rebecca, Beniah, Jennie and Marguerite
Moore are not identified on any of said rolls.
- Q About how old is your daughter Rebecca? A About 16 or 17.
Q How old is Beniah? A I do not know exactly.
Q In 1899 the age of Rebecca was given as seven years--that was about
six years ago--that would make her thirteen now, is that correct?
A Yes, sir.
Q Beniah would be ten, is that correct? A Yes, sir.
Q Jennie about eight, is that correct? A Yes, sir.
Q How long have you lived in the Creek Nation? A I have been
here all my days.
Q What is the name of your father? A Jerry Moore.
Q Is he a citizen of the Creek Nation? A Yes, sir.
Q Is he living? A No, he is dead.
Q When did he die? A He has been dead about five years.

CR EN 898

CR EN 898

En. 897

Managers, Indian Territory, February 14, 1906.

M. L. Mott,

Attorney for Greek Nation,
Managers, Indian Territory.

Sir:

You are hereby advised that the Secretary of the Interior, under date of February 8, 1906, affirmed the decision of the Commissioner to the Five Civilized Tribes, dated January 13, 1906, denying the application for the enrollment of Annie and Elsie Proctor, both deceased, as citizens by blood of the Greek Nation.

Respectfully,

Acting Commissioner.

Wm. 897

Minneapolis, Indian Territory, February 14, 1906.

James Proctor,

Dustin, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior under date of February 8, 1906, affirmed the decision of the Commissioner to the Five Civilized Tribes, denying the application for the enrollment of your minor children, Annie and Linnie Proctor, both deceased, as citizens by blood of the Creek Nation.

Respectfully,

Acting Commissioner.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS
Washington February 3, 1906

Land 5450-1906

4597

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commissioner to the Five Civilized Tribes dated January 15, 1906, transmitting the record of the application made July 7, 1903, for enrollment as citizens by blood of the Creek Nation of Lixie, and Annie Proctor, both deceased. January 12, 1906, the Commissioner decided adversely to both applications.

The record shows that Annie Proctor and Lixie Proctor were born subsequent to May 25, 1901 and died prior to March 4, 1905.

In view of the record and of the Act of March 3, 1905 (33 Stat., 1071), the approval of the Commissioner's decision adverse to the applications is recommended.

Very respectfully,

C. F. Larrabee
Acting Commissioner

MMO C

4897

Secretary's Office

DEPARTMENT OF THE INTERIOR,

WASHINGTON, D.C. February 8, 1906

I.T.D. 2010-1906
IRS

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

January 18, 1906, you transmitted the record in the
matter of the application for the enrollment of Annie and Lizzie
Proctor, both deceased, as citizens by blood of the Creek Nation.
Reporting February 3, 1906, the Indian Office recommended
that your decision, adverse to both applicants, be approved. A copy
of its letter is inclosed.
The Department concurs in said recommendation, and your
decision dated January 18, 1906, is hereby affirmed.

Respectfully,

Thos Ryan
First Assistant Secretary

1 inclosure

No. 897

Managers, Indian Territory, January 18, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of the Creek Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated January 18, 1906. Respectfully,

Commissioner.

Through the

Commissioner of Indian Affairs.

AG-25

W-897

Muskegoe, Indian Territory, January 18, 1906.

M. L. Mott,

Attorney for Greek Nation,
Muskegoe, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Annie and Linnie Proctor, (both deceased), as citizens by blood of the Greek Nation. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

40-34

No. 897

Waukegan, Indian Territory, January 18, 1906.

Timber Proctor,

Mustin, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of your minor children, Annie and Lillie Proctor (both deceased), as citizens by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

AG-33

186

REFER IN REPLY TO THE FOLLOWING
B. A. 132 & 133.

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY,
ALLISON L. AYLESWORTH,
SECRETARY.

Muskogee, Indian Territory, December 4, 1903.

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

Liley Proctor,

Wewoka, Indian Territory.

Dear Madam:

There are on file with the Commission affidavits executed by you relative to the birth and death of your minor children, Annie and Lizzie Proctor, who, it is claimed, are entitled to enrollment as citizens of the Creek Nation. It is desired that further evidence be submitted in the case.

You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the dates of the birth and death of said children, for the purpose of being examined under oath.

Respectfully,

Chairman.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment
of Lizzie and Annie Proctor, both deceased, as citizens
by blood of the Creek Nation.

D E C I S I O N.

The record in this case shows that on July 7, 1903,
the affidavits of Lizzie Proctor relative to the birth of
her minor children, Lizzie and Annie Proctor, were filed
with the Commission to the Five Civilized Tribes at Muskogee,
Indian Territory, which said affidavits are considered as
an application for the enrollment of said Lizzie Proctor,
deceased, and said Annie Proctor, deceased, as citizens
by blood of the Creek Nation.
Further proceedings were had January 21, February
24, and June 12, 1903.
The evidence shows that said Annie Proctor, deceased,
and said Lizzie Proctor, deceased, were born subsequent
to May 28, 1901, and that they died prior to March 4, 1903.
It is, therefore, ordered and adjudged that there is
no authority of law for the enrollment of said Lizzie Proctor,
deceased, and said Annie Proctor, deceased, or either of
them, as citizens by blood of the Creek Nation and the
application for their enrollment as such is accordingly
denied.

Commissioner

Muskogee, Indian Territory.

JAN 13 1904

Ex. 897.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment
of Lizzie and Annie Proctor, both deceased, as citizens
by blood of the Creek Nation.

D E C I S I O N.

The record in this case shows that on July 7, 1902,
the affidavits of Lily Proctor relative to the birth of
her minor children, Lizzie and Annie Proctor, were filed
with the Commission to the Five Civilized Tribes at Muskogee,
Indian Territory, which said affidavits are considered as
an application for the enrollment of said Lizzie Proctor,
deceased, and said Annie Proctor, deceased, as citizens
by blood of the Creek Nation.
Further proceedings were had January 21, February
24, and June 12, 1902.
The evidence shows that said Annie Proctor, deceased,
and said Lizzie Proctor, deceased, were born subsequent
to May 25, 1901, and that they died prior to March 4, 1902.
It is, therefore, ordered and adjudged that there is
no authority of law for the enrollment of said Lizzie Proctor,
deceased, and said Annie Proctor, deceased, or either of
them, as citizens by blood of the Creek Nation and the
application for their enrollment as such is accordingly
denied.

Muskogee, Indian Territory.

JAN 12 '06

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Dustin, I. T., June 12, 1905.

Lumber Proctor, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q Did you ever have any other daughter named Annie? A No, sir.
Q the contrary I wish to correct.
Q Are you positive? A Yes, sir, any statements that I have made to the first of September, 1901, and Lizzie died about a week after.
Q When did they die? A Annie died the latter part of August or 1901.
Q When were Lizzie and Annie born? A They were born in August,
Q When did she die? A I have forgotten the date of her death.
Q Is Cindy living? A She is dead.
Q Annie in my testimony.
Q oldest daughter, Cindy, who was born in 1899. I mistook her for children could not have been twins? A I was in error. It was my born in 1899 and Lizzie was born May 28, 1901. If that is true the
Q According to the testimony you have heretofore given, Annie was week before Lizzie.
Q two children. Lizzie and Annie were twins. Annie died about
Q I made the record has been lost and I have been unable to find it, nor of these two children, have you that record now? A The book in which stated at that time that you had a record of the birth and death
Q for the enrollment of your children, Lizzie and Annie Proctor. You Indian Territory, and gave testimony in the matter of the application
Q January 21, 1902, you appeared before the Commission at Dustin,
Q to what town do you belong? A Woodville.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What is your post office address? A Dustin.
Q How old are you? A About twenty-eight.
Q What names? A Lumber Proctor.

---000000000000---

I, D. C. Bragan, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 17th day of July 1950.

Notary Public

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.
Castle, I. T., February 24, 1906.

In the matter of the application for the enrollment of Lillie and Annie Proctor, deceased, as citizens by blood of the Creek Nation. DOLLIE HUNTER, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Dollie Hunter.
Q How old are you? A I do not know exactly how old I am.
Q About how old? A About thirty.
Q What is your post office address? A Castle.
Q Are you a Creek Freedman? A No, sir, I am a Seminole Freedman.
Q Do you know two children of Lumber and Lillie Proctor named Lillie and Annie Proctor? A Their children what I waited on her they didn't name them. They named them after I waited on her.
Q Were those children twins? A Yes, sir.
Q Do you know in what month these children were born? A I couldn't tell you what month it was but I know it was in the fall, the same year the Seminoles fled.
Q Did you execute an affidavit about these children? A Yes, sir, at Okemah. I swore to a girl and a boy.
Q Is the year as given in that affidavit correct? A Lillie (Lillie) put it down but I don't because I didn't think it was exact. They said it was in the Spring and I thought it was in the fall.
Q You think it was in the fall of that year? A Yes, sir, we fled and after we fled I remember of picking cotton.
Q You didn't swear that these children were born in the spring but in the fall? A Yes, sir. They lived about a month or so and died.
Q They were born and died in the fall? A Yes, sir.
Q Were people picking cotton at that time? A Yes, sir, they had the time they were born but I didn't have it. It was in the fall that I recollect.
Q You attended on Lillie Proctor did you, at the time these children were born? A Yes, sir, I attended her----I and Lillie, but she is dead and I living.
Q Lillie what? A I don't know what she is but was Lillie Proctor sister but she died and I living.
Q You are positive are you that these children were born and died in the fall of 1901? A Yes, sir. I went to Wewoka to execute an affidavit and it was not right and I didn't swear to it and then I went to Okemah and swore to a boy and a girl.
Q Do you know whether or not a record was made as to when these children were born and when they died? A No, sir, I don't know. I been with Lillie because she could write and Lumber, but I don't know if they put it down.
Q Are the parents of these children living? A Yes, sir, Lumber living.
Q Is Lillie dead? A Yes, sir, Lillie died.
Q Do you know when she died? A She died sometime last summer.
Q Did Lillie and Lumber Proctor have any other children? A Lillie has one child, Lillie, living.
Q Is she a Seminole? A Yes, sir.
Q What is the name of her father? A Kate Larney.
Q Did they ever have a child named Lillie? A That Lillie one she died. I expect I couldn't say nothing about it.
Q Do you know how long she has been dead? A She died before I went there to Lillie. She didn't get up her business.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Castle, I. T., February 24, 1903.

In the matter of the application for the enrollment of Lizzie and Annie Proctor, deceased, as citizens by blood of the Creek Nation, DOLLIE HOUSTON, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Dollie Houston.
Q How old are you? A I do not know exactly how old I am.
Q About how old? A About thirty.
Q What is your post office address? A Castle.
Q Are you a Creek Freedman? A No, sir, I am a Seminole Freedman.
Q Do you know two children of Lumber and Lillie Proctor named Lizzie and Annie Proctor? A Their children what I waited on her they didn't name them. They named them after I waited on her.
Q Were those children twins? A Yes, sir.
Q Do you know in what month these children were born? A I couldn't tell you what month it was but I know it was in the fall, the same year the Seminoles fled.
Q Did you execute an affidavit about these children? A Yes, sir, at Okemah. I swore to a girl and a boy.
Q Is the year as given in that affidavit correct? A Lillie (Lillie) but it down but I don't because I didn't think it was exact. They said it was in the Spring and I thought it was in the fall.
Q You think it was in the fall of that year? A Yes, sir, we fled and after we fled I remember of picking cotton.
Q You didn't swear that these children were born in the spring but in the fall? A Yes, sir. They lived about a month or so and died.
Q They were born and died in the fall? A Yes, sir.
Q Were people picking cotton at that time? A Yes, sir, they had the time they was born but I didn't have it. It was in the fall that I recollect.
Q You attended on Lillie Proctor did you, at the time these children were born? A Yes, sir, I attended her---I and Lillie, but she is dead and I living.
Q Lillie what? A I don't know what she go by but was Lillie Proctor sister but she died and I living.
Q You are positive are you that these children were born and died in the fall of 1901? A Yes, sir. I went to Weeks to execute an affidavit and it was not right and I didn't swear to it and then I went to Okemah and swore to a boy and a girl.
Q Do you know whether or not a record was made as to when these children were born and when they died? A No, sir, I don't know. I been with Lillie because she could write and Lumber, but I don't know if they put it down.
Q Are the parents of these children living? A Yes, sir, Lumber living.
Q Is Lillie dead? A Yes, sir, Lillie died.
Q Do you know when she died? A She died sometime last summer.
Q Did Lillie and Lumber Proctor have any other children? A Lillie has one child, Lillie, living.
Q Is she a Seminole? A Yes, sir.
Q What is the name of her father? A Kate Larney.
Q Did they ever have a child named Lillie? A That Lillie one who died. I expect I couldn't say nothing about it.
Q Do you know how long she had been dead? A She died before I went there to live. She didn't fix up her business.

A. 128-122-----2.

Q Where do George Scott and Captain Lamey live? A They both live about three miles north of Newola.
Q Was your wife, Lillie, a citizen of the Creek Nation? A No, sir.
Q She was a citizen of the Seminole Nation. I can furnish you with the records which I have at home and will meet you at Timonahopy George's house Monday.
Q Did Lillie have a twin sister? A Yes, sir.
Q What is the name of that child? A I have forgotten but my records will show.
Q Did you name Lillie's twin sister Annie? A I had a daughter named Annie but she was not a twin sister of Lillie.
Q Which one of the twins died first? A Lillie died last. The unnamed child died about a week after it was born. In executing the affidavit a mistake must have been made and the unnamed child given the name of my oldest daughter Annie, who is also dead.

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I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 3 day of February, 1905.

D. C. Skaggs
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Dustin, I. T., January 21, 1908.

In the matter of the application for the enrollment of Lizzie and Annie Proctor, deceased, as citizens by blood of the Creek Nation.

LUMBER PROCTOR, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Lumber Proctor.
Q How old are you? A Twenty-six.
Q What is your post office address? A Dustin.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Weatoka.
Q Did you have two children named Lizzie and Annie Proctor? A Yes, sir.
Q When did Lizzie die? A I cannot give you the date of her death but I have a record of the birth and death of both children at home.
Q How many years has it been since Lizzie died? A I do not know.
Q Do you know when Lizzie was born? A I think she was born May 25, 1901.
Q Who made the records which you have at home? A I did.
Q When did you make the record of Lizzie's birth? A The same day that she was born.
Q In what did you make that record? A In a pocket memorandum book.
Q Are the records written in Greek or English? A In English.
Q Do you read and write English? A A little.
Q What was the record written with a pencil or pen? A With a lead pencil.
Q How old was Lizzie at the time of her death? A She was about a month old.
Q Did you ever execute an affidavit relative to the death of Lizzie? A Yes, sir.
Q According to the affidavit executed by yourself and George Scott, March 24, 1903, Lizzie died October, 1901? A There may have been some mistake but the records which I have at home will show exactly when she died.
Q When did Annie die? A Annie was nearly a year old when she died-- she could walk and run about.
Q When was Annie born? A I think she was born in 1899 and died in 1901.
Q What time of the year was she born? A She was born in August.
Q Do you know about what time in August? A The 13th of August.
Q What time of the year did she die? A She died in the fall of the year, I think in September but I do not know what time in September.
Q What was the name of the mother of these two children? A Lillie.
Q Is she living? A She is dead.
Q When did she die? A She has been dead about two years. I have the record of her death also.
Q Did you make the record relative to the birth and death of these two children on the same day that they were born and on the same day that they died? A Yes, sir.
Q Who was present when Lizzie was born? A Dollie Samuels, a negro woman. She lives about three miles southeast of Okmulgee.
Q Who was present when Annie was born? A We one attended on my wife when Annie was born except myself but I think George Scott and Captain Jarney were present.

CR EN 847

CR EN 847

En. 898.

Muskogee, Indian Territory, June 2, 1905.

Louis Wish,

Hanna, Indian Territory.

You are hereby advised that the name of your minor child,
Louis Wish, is contained in the partial list of citizens to be placed
at the Creek Nation, approved by the Secretary of the Interior,
May 22, 1905, and that application for a selection of land in the
Creek Nation may now be made at the office of the Commission in
Muskogee, Indian Territory.

Respectfully,

Commissioner in Charge.

Gr 2n 896

Manakogee, Indian Territory, March 21, 1906.

M. B. Wolf,

Attorney for the Creek Nation,

Manakogee, Indian Territory.

Sir:

There is enclosed herewith a copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Miss Fish (deceased) as a citizen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be allowed fifteen days from date hereof within which to file protest against said decision, and if, at the expiration of that time, no such protest has been made, said Miss Fish (deceased) will be regularly listed for enrollment as a citizen by blood of the Creek

Nation.

Respectfully,

Chairman.

YM-21-17.

988

B. A. 47.

Muskogee, Indian Territory, September 29, 1903.

Meisner W. H.

Garner, Indian Territory.

Dear Madam:

There is on file with the Commission an affidavit executed by you relative to the birth of your minor child, Eliza W. H., who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further testimony be submitted in the case. You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of the birth of said child, for the purpose of being examined under oath.

Respectfully,

Chairman.

En. 896.

I.D.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

--:O:--

In the matter of the application for the enrollment of Eliza Fish, deceased, as a citizen by blood of the Creek Nation.

--: D E C I S I O N :--

The record in this case shows that on April 6, 1903, the affidavit of Melayer Fish relative to the birth of her minor child, Eliza Fish, now deceased, was filed with the Commission at Muskogee, Indian Territory, which said affidavit is considered by the Commission as an application for the enrollment of said Eliza Fish, deceased, as a citizen by blood of the Creek Nation. Further proceedings were had January 20, 1903. The evidence shows that said Eliza Fish, deceased, was born prior to May 25, 1901, and that she died during the year 1904. The evidence further shows that said Eliza Fish, deceased, was the minor child of Louis and Melayer Fish, and from an examination of the records of the Commission said Louis Fish is identified as Lewis Fish in the partial list of Creek citizens by blood, approved by the Secretary of the Interior March 28, 1902, Roll Number 8337, and said Melayer Fish is identified as Melayer Harjo in the partial list of Creek citizens by blood, approved by the Secretary of the Interior November 14, 1902, Roll Number 9378. It is, therefore, the opinion of the Commission that said Eliza Fish, deceased, should be enrolled as a citizen by blood of the Creek Nation in accordance with the provisions of the act of Congress June 30, 1902, (32 Stat., 500), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

MAR 15 1903

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In Re Application for Enrollment, as a citizen of the
Name of Father: *James H. H. H.*
Name of Mother: *Melba H. H. H.*
Post-office: *H. H. H.*
Born on the *10* day of *June* 1900
Nation: *Cherokee*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of *Cherokee*
I, *Melba H. H. H.*, on oath state that I am
years of age and a citizen, by
that I am the lawful wife of
of the *Cherokee* Nation; that a
child was
born to me on *10* day of *June* 1900
and is now living.
WITNESSES TO MARK:
James H. H. H.
Melba H. H. H.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of *Cherokee*
I, *Dr. H. H. H.*, on oath state that I am
tended on Mrs. *Melba H. H. H.* wife of *James H. H. H.*
on the *10* day of *June* 1900
date a *female* child; that said child is now living and is said to have been named
WITNESSES TO MARK:
James H. H. H.
Melba H. H. H.
Subscribed and sworn to before me this *10* day of *June* 1900
Notary Public.

74

Application for Enrollment of
IN RE

INFANT CHILD

as a citizen of

Nation

Approved

190

Commissioner

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR
FILED

Office of the
Commissioner

A. 47.---2.

Q When was she born? A The tenth of August, 1899.
Q Do you know when Eliza died? A I think the child died in April,
1904.
Q About how old was the child at the time of its death? A The child
was over four years old when she died.
Q Has land been selected for Louis Tiger? A Yes, sir.

-----00000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
examine on said date.

D. C. Skaggs

Subscribed and sworn to before me this 2 day of February, 1905.

Notary Public

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Dustin, I. T., January 20, 1905.

In the matter of the application for the enrollment of Elizabeth, deceased, as a citizen by blood of the Creek Nation.

LOUIS FISH, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Louis Fish.
Q How old are you? A About thirty-five.
Q What is your post office address? A Hanna.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Cassahatchee.
Q Did you have a child named Elizabeth? A Yes, sir.
Q She is dead is she? A Yes, sir.
Q Do you know when she died? A She died last Spring but I do not know the date.
Q How old was she at the time she died? A I do not know, but she was over two years old at the time the Commission Locating Party was at my house. A red-headed man by the name of Gibson was in charge of the party. I gave him full information about my daughter Elizabeth and he promised that the land on which my home is located would be reserved for her as her allotment.
Q According to your best recollection how old do you think the child was at the time of her death? A She was four years old or over.
Q Was there a record made as to when she was born and as to when she died? A There was a record made of her death.
Q Who made the record? A Wiley Buckner.
Q How long was that after Elizabeth died? A About two days after.
Q Where is that record? A At my house.
Q Your wife, Melvyn, stated in her testimony this morning that the record was her at Wiley Buckner's? A She was mistaken, I have the record at home.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Was Elizabeth born before or after the opening of the Creek Land Office? A She was born before the land office opened. I think John Brunner would know the exact date of her birth because he has a daughter who was born about the time Elizabeth was born.

JOHN BRUNNER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A John Brunner.
Q How old are you? A About fifty-four.
Q What is your post office address? A Hanna.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Weoguckee.
Q Did you know a child of Louis and Melvyn Fish named Elizabeth? A Yes, sir.
Q Do you know when Elizabeth was born? A I think she was born in September.
Q In what year? A 1899.
Q Have you a child that was born about the same time Elizabeth was born? A No but there is a child living with me named Louise, a daughter of Rose and Tom Wiley.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Dustin, I. T., January 20, 1905.

In the matter of the application for the enrollment of Eliza
Fish, deceased, as a citizen by blood of the Creek Nation.
LEWIS FISH, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

BY COMMISSIONER:
Q What is your name? A Melvyn Fish.
Q How old are you? A I do not know how old I am but I am over
thirty.
Q What is your post office address? A Hanna.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Broken Tule.
Q Did you have a child named Eliza? A Yes, sir.
Q She is dead is she? A Yes, sir.
Q When did she die? A March 19, 1904.
Q Do you know what day of the month she died? A The child died on
Monday but I do not know the date.
Q How old was she at the time she died? A The child was
five years old.
Q When was the child born? A The child was born in August.
Q Do you know what time in August? A I have forgotten what time in
August the child was born.
Q In what year was the child born? A I do not know the year.
Q Was there a record made of the birth and death of Eliza? A Wiley
Booker ought to have a record as to when the child was born and
when it died--we requested him to make one.
Q Is he your Town King? A No, sir. We requested him to make the
record because he writes Greek.
Q What is the name of the child's father? A Louis Fish.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Was Eliza born before or after the opening of the Creek Land Office?
A She was born before the land office opened.
Q Do you know about how long before? A I do not know how long
before it was but know that the child was walking when people began
making selections of land.
Q If the child had lived until this coming August would it have been
five years old or six years old? A It would have been six years old.
Q Did you or your husband ever make application to the Commission for
the enrollment of Eliza? A I executed an affidavit.
Q You stated in the affidavit that you executed that Eliza was born
August 10, 1900. According to that the child would not have been
quite five years old if it had lived until the present time? A I
must have been mistaken as to the year but I am positive that the
child was born in August and would have been six years old had she
lived until August of this year. I didn't have a very good inter-
preter.
Q Who interpreted for you when you executed the affidavit? A John
Brunner.

I, D. C. Skaggs, on oath state that the above and foregoing is a
true and correct transcript of my stenographic notes as taken in said
deposition on said date.

Subscribed and sworn to before me this 2 day of January, 1905.

CR EN 828

CR EN 828

2004

COPY

B. A. 187.

Muskogee, Indian Territory, November 21, 1903.

Miss Tyler,

Okfuskee, Indian Territory.

Dear Madam:

There are on file with the Commission affidavits executed by you relative to the birth of your minor child, Roosevelt Tyler, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the

You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of the birth of said child, for the purpose of being examined under oath.

Respectfully,

Chairman.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, INDIAN TERRITORY, MARCH 20, 1905.

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In the matter of the application for the enrollment of
Roosevelt Tyler as a Creek Freedman.
ELIZA TYLER, being duly sworn, testified as follows:

EXAMINATION BY COMMISSION:

Q What is your name? A Eliza Tyler.
Q How old are you? A 26.
Q What is your postoffice address? A Brokenarrow.
Q Have you a child named Roosevelt Tyler? A Yes.
Q When was Roosevelt born? A He is two years and a half old.
Q Was he born in 1902? A I do not know.
Q Do you know what year this is? A 1905.
Q Do you know what year was? A 1904, I think.
Q Was Roosevelt born that year--1904? A No, sir.
Q Do you know what the year before that was? A Yes, 1903.
Q Was he born that year--1903? A No.
Q What was the year before that? A No answer.
Q Well, the year before that was 1902--was Roosevelt born that year? A No.
Q Was he born the year before that--1901? A I don't know.
Q Was he born in 1900? A I don't know exactly what year he was born in.
Q You have filed two affidavits in this case and in one you state that he was born on the 20th of July, 1900, and in the other you say he was born on the 20th of January 1902, which is correct? A No answer.
Q How old is Roosevelt now? A Two and a half years.
Q Are you sure of that? A Yes.
Q To you know what time of the year he was born, whether it was January or July? A January--the Notary Public made that out wrong.
Q Was he two years old this last January? A Two years old; he is going on to three years old now.
Q He is not more than three years old is he? A He will not be three until next January.
Q Is Roosevelt living? A Yes.
Q Are the dates in this affidavit January 20, 1905, correct? A Yes.

Eliza Tyler is identified on Creek Freedmen Card, Field Number 930, and her name is contained in the partial list of Creek Freedmen, approved by the Secretary of the Interior March 28, 1902, Roll Number 3540.

Extra Ellen Parlin being sworn on her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported the above case and that this is a full, true and correct transcript of her stenographic notes in same.

Subscribed and sworn
to before me this 23rd day
of March, 1905.

Notary Public

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskegee, Indian Territory,
January 31, 1903.

In the matter of the application for the enrollment of
Roosevelt Tyler as a Creek Freedman.
There are on file with the Commission affidavits, relative
to the birth of Roosevelt Tyler, filed July 1, 1902, and December
12, 1902. These affidavits are considered as an application
for the enrollment of said Roosevelt Tyler.

ALFRED TYLER, being duly sworn, testified:

By the Commission:
What is your name? A Alfred Tyler.
How old are you? A Thirty-nine.
What is your post office address? A Broken Arrow, Indian Territory.
Are you a citizen of the Creek Nation? A No, sir.
Have you a child named Roosevelt Tyler? A Yes, sir.
Is he living? A Yes, sir.
When was he born? A January twentieth.
What year? A 1902.
Are you positive of that? A Yes, sir.
Do you know what day to-day is? A Yes, sir, January 30, 1903.
How many years ago was it that Roosevelt was born? A Three
years the twentieth day of this month.
Were you present when your child was born? A Yes, sir.
Do you know anything about the affidavits your wife made out and
how she came to make two? A The first time she and her mother
went before the Notary Public, Mr. Whitman or Lewis Nero, and
when they come to discussing the thing they found that they had
put down the date of our little child's birth, and so they went
before the Notary Public and corrected it.
And so this last one is correct? A Yes, sir.

Said affidavits are made a part of the record herein.

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I, Vera Ellen Parrish, as stenographer to the Commission to the Five Civilized Tribes, on oath state that the
above and foregoing is a full, true and correct transcript of my
stenographic notes taken in said case.

Vera Ellen Parrish

Subscribed and sworn to before me this 31st day of January, 1903.

Robert L. ...

Notary Public.

CR EN 892

2 EN 892

Or En 894

Washington, Indian Territory, August 2, 1905.

Dear Sir:

Washington, Indian Territory.

You are hereby advised that the name of your minor child,

Hamilton Woodard, is contained in the partial list of Creek

freemen approved by the Secretary of the Interior July 31,

1905, and that application for a relocation of land in the Creek

Nation for said child may now be made at the office of the Com-

missioner to the Five Civilized Tribes, in Washington, Indian Ter-

ritory.

An entire allotment of 160 acres for said child must be

collected at the time of the original application.

Respectfully,

Acting Commissioner.

100-100

Washington, Indian Territory, June 2, 1908.

M. J. Koff,

Attorney for Creek Nation,

Washington, Indian Territory.

Sir:

There is enclosed herewith a copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of William Washburn as a Creek Indian. You are hereby notified that the Creek Nation will be advised of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of William Washburn as a Creek Indian. The decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of William Washburn as a Creek Indian is hereby notified to the Creek Nation.

Very respectfully,

Commissioner in Charge.

MARRIAGE LICENSE

No. 846

United States of America,
INDIAN TERRITORY,
Northern District.

To Any Person Authorized by Law to Solemnize Marriage--Greeting:

You are hereby commanded to solemnize the life and publish the

Banns of Matrimony between Mr. *Michael Woodard*

of *Maricopa* in the Indian Territory, aged *24* years, and

in the *Maricopa* in the

Indian Territory, aged *21* years, according to law, and do you officially sign and return this

License to the parties therein named.

WITNES my hand and official seal at Mesquite, Indian Territory, this *26* day of

July A. D. 1900.

Charles A. Brown
Clerk of the U. S. Court.

By *James H. Brown*
Deputy.

CERTIFICATE OF MARRIAGE.

United States of America,
INDIAN TERRITORY,
Northern District.

A Minister of the Gospel,

A. D. 1900.

DO HEREBY CERTIFY that on the *26th* day of *July*

I did duly and according to law, as commanded in the foregoing License, solemnize the life and publish

the Banns of Matrimony between the parties therein named.

WITNES my hand this *26th* day of *July* A. D. 1900.

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District.

Book *A* Page *144*

W. H. Brown
A Minister of the Gospel.

NOTE--This License and Certificate of Marriage must be returned to the Office of the Clerk of the United States Court in the Northern District, Indian Territory, from whence it was issued, within sixty days from the date thereof, or the party to whom the license was issued will be liable in the amount of One Hundred Dollars (\$100.00).

NOTICE OF THE COURT

1881

B^y

Deputy

his

3

day of

Oct

A. D. 1880

Charles A. Johnson

Clerk

WILLIAMS was hand and seal of said Court of Muscogee in said Territory

Book

Marriage Record Page

32

5-18-02

CERTIFICATE OF RECORD.

United States of America,
INDIAN TERRITORY,
Northern District.

I, CHARLES A. DAVIDSON, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument hereto attached was filed for record in my office the day of July 1900, at M., and duly recorded in

Book

Marriage Record, Page 34

WITNESSES my hand and seal of said Court at Muskogee, in said Territory

this 3 day of July, A. D. 1900.

Charles Davidson
Clerk.

Deputy.

By

20-81-5

Q. 40.

En. 894.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
Hamilton Woodard as a Creek Freedman.

D E C I S I O N .

The record in this case shows that on August 29, 1904, the
affidavit of Richard Woodard relative to the birth of his minor
child, Hamilton Woodard, was filed with the Commission at Muskogee,
Indian Territory, which said affidavit is considered by the Commission
as an application for the enrollment of said Hamilton Woodard
as a Creek Freedman. Further proceedings were had January 20, and
February 18, 1905.
The evidence shows that said Hamilton Woodard was born
April 10, 1901, and that he was living at the date of the application
herein.
The evidence further shows that said Hamilton Woodard
is the minor child of Richard and Beattie Woodard and that said
Richard and Beattie Woodard are identified on the partial list of
Creek Freedmen, approved by the Secretary of the Interior March
28, 1902, Roll Nos. 3167 and 2890, respectively.
It is, therefore, the opinion of the Commission that said
Hamilton Woodard should be enrolled as a Creek Freedman, in accordance
with the provisions of the act of Congress of June 30, 1902
(32 Stat., 500), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.
Commissioner.
C. R. Anderson.
Commissioner.

Muskogee, Indian Territory,
Jun 8 - 1905

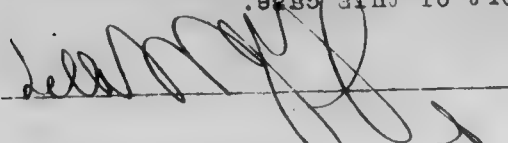
Hamilton Woodard-----3-

Q Did you go before a notary public and make affidavit about the birth of Hamilton Woodard--hold up your hand and swear that you did that? A I think I did.
Q Don't you know about that? A ---
Q Before what notary public was it? A It was your son (speaking to Judge Graves).
Q What time did you make that affidavit? A It was about two months ago.
Q Did you sign it yourself? A I don't remember.
Q What date was written down in that affidavit for the birth of that child? A April 10.
Q What year? A 1901.
Q Are you sure that date was written in that affidavit? A Yes sir.
Q How do you know--did you see it in there? A Yes sir.
Q Who wrote it? A Mr. Graves, I think.
Q Did he swear you to it? A The other Mr. Graves, his son.
Q Did you tell the notary public what your name is, you knew it was Graves? A Yes sir.
Q Was anybody else present at that time--do you remember? A I don't know.
Q Were any ladies present? A I don't remember.

There is on file with the Commission an affidavit heretofore referred to in the testimony taken in January, signed and sworn to by Bessie Woodard. This affidavit was executed August 25, 1904, before Minnie P. Dumas, Notary Public.

INDIAN TERRITORY, Western District.
I, J. Y. Miller, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify upon oath that the above and foregoing is a true and complete translation of my notes as same appear in my stenographic report of this case.

Subscribed and sworn to before me this 24th day of February, 1905.



Notary Public.

Hamilton Woodard-----V.

Q From that time did you talk to anybody about the birth of the child? A I haven't had a chance.
Q How do you fix the date of the birth of the child--what helps you to know it was 1901? A Some small things in passing time; that I do, I can tell this. I think he put down the child's age the next morning.
Q Does that help you to remember now that it was 1901? A Yes, so I would know. It does help me.
Q Do you mean to say that you saw he put down a certain number. A No, I can't tell anything about a certain number. I asked him what date of the month and he told me.
Q What did he tell you? A I understood him to say 1901. He carried on a conversation; I don't remember.
Q Did you ever have a talk with him about the birth of the child? A No sir.
Q About four years ago he told you the date, and that's how you remember it was 1901? A It might be what I understood.

BY MR. GRAVENS:

Q Where have you been living most of the time since the birth of Hamilton? A Between two rivers, well over across in Wagoner.
Q Are you related to Woodard or his wife? A His mother was my sister.
Q Have you lived any time with Beasie since the birth of Hamilton? A I visited her; she has visited me.
Q Have you been intimate with the family all the time? A Yes sir.
Q And you state that the child was born in April, 1901? A Yes sir.
Q And you saw Richard Woodard write down that you say that it was the date of the birth next morning? A Yes sir. I asked him what it was, and he said it was the date of the birth of the child.

Beasie Woodard, recalled.

BY THE COMMISSION.

Q Do you know Auntie here, Janie Morris? A Yes sir.
Q You know any of her children? A Yes sir.
Q Live near them? A Yes sir.
Q Do you know when one of her children, Lorrans Morris, died? A I was at the burying; I don't know when it was.
Q Do you know what year it was? A No sir.
Q Do you know how many years ago it was? A I don't remember.
Q Was it put down anywhere that you know of? A No sir; I never saw it.

BY MR. GRAVENS:

Q Beasie, who is this? A Hamilton Woodard.

The child, Hamilton Woodard, is present, and is identified by Beasie, his mother. The child is walking around.

BY THE COMMISSION:

Q Did you make affidavit about the birth of this child? A No sir.

Q When did you go before the Agents? A One o'clock.

Q Did you ever talk to anybody before coming up here about the date of the birth of Hamilton Woodard? A No sir, I come from the Indian Agent.

Q I am not certain about these things. This coming April he ought to be four years old. I didn't make a mistake. He is three years old. I think years, if I didn't make a mistake. He is three years old. A He is three years old. I can't do any more.

Q When will Hamilton Woodard be four years old? A He is three years old. I can't do any more.

Q Which one came first, 1901 or 1903? A 1901, I reckon. It's mixed up with me now. I can't do any more.

Q Do you get that? A Sometimes I think of it; sometimes I can't. Hamilton Woodard was born you will not say but you do say 1901. Now that's the record shows that you did not say it died in 1903, but you state here that Lawrence Morris died two years ago in February. Cause they told me.

Q You will swear how many years ago your child Lawrence died? A I have it right.

Q Are you sure? A I wouldn't swear, for fear I might not have it right.

Q How many years ago was Hamilton Woodard born? A I think now it's about three years and maybe a little more.

Q Can you name the years? A I fear I can't. If I said two years you would know.

Q What year? A It is two years now.

Q I was not at home.

Q She died in February; last of February or the first; I don't know. I was not at home.

Q How do you fix the date of her death--can you tell me the date of the year and the month in which the child, Lawrence Morris died? A She died in February; last of February or the first; I don't know.

Q Were you present when she died? A I was in Washington. Was gone some time.

Q When did she die? A Soon be two years.

Q Is she living? A No sir.

Q Do you know Lawrence Morris? A That's my next youngest child.

Q How old is George? A I don't know; I just don't know now.

Q Next? A George Hawkins; Joe Hawkins's son.

Q Name some of them. A Little Hawkins.

Q Enrolled? A Yes sir.

Q Have you got any more children? A Yes sir.

Q How long did she live? A Five weeks.

Q How many years ago did she die? A About 15 or 16 years.

Q How old would she be if living? A She ought to be 15. She was in heret the time of the killing.

Q How old is Vicky? A She is dead.

Q What is the name of the youngest child? A Vicky.

Q Did you have it enrolled? A Yes sir.

Q What is the name of your youngest child? A My youngest child is dead.

Q What is the name of the Greek Nation? A Indeed, I am.

Q Are you a citizen of the Greek Nation? A Yes, I am.

Q Can you tell me the name of any child, who is a child of a citizen of the Greek Nation on whom you waited at birth? A Yes, I sent the Greek Nation on whom you waited at birth.

Q Did you assist at the birth of any children a short time before this or a short time after? A I just tell you I don't remember.

Q Did you assist in the birth of children during any of those 18 days? A No sir.

Q Did you assist in the birth of children during any of those 18 days? A Yes.

Q Remember that all, cause I was out where she was about eighteen days.

Hamilton Woodard-----6.

Hamilton Woodward-----2.

BY MR. CHAVEN:

Q You stated a moment ago that you looked at the entry of Hamilton's birth every day; that your husband showed it to you in the Bible?
A I looked at it off and on. Dick would see it in the Bible.
Q Did you know aside from that it was in April? A Yes sir.

BY THE COMMISSION:

Q What year is this, Beattie? A 1906.
Q What month? A February.
Q What was last year? A 1904.
Q And the year before that? A 1903.
Q Was Hamilton Woodward born that year? A He was born in 1901.
Q What was the year before 1903? A 1902.
Q What was one before that? A 1901.
Q About how many years ago was 1901? A Five years ago.
Q Was Hamilton Woodward born five years ago? A 1901.

Jane Morris, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION:

Q What is your name? A Jane Morris.
Q How old are you? A Between 63 and 64.
Q What is your postoffice address? A Tallahassee.
Q Do you know Beattie Tittle? A Yes sir.
Q Is that her name now? A Yes sir--no, Woodward is her name.
Q What is the name of her husband? A Dick Woodward.
Q Do you know a child of their named Hamilton? A Yes sir.
Q Were you present when it was born? A Yes sir.
Q Were you midwife? A Yes sir.
Q Can you remember the hour of day or night in which the child was born? A No, I don't know what hour.
Q Was it night or day? A Night.
Q How long after supper? A I don't know; didn't have time to get my supper.
Q Was it born before 12 o'clock at night? A I guess I don't know.
Q I didn't have a time piece.
Q Don't you remember whether anyone had gone to bed? A No sir.
Q Had any smaller children gone to bed? A I think they were.
Q They were quite small. I don't know if they had gone to bed.
Q Was it near before 12 o'clock at night or after 12 that the child was born? A I don't remember. I didn't have a time piece.
Q I couldn't tell.
Q Have you ever waited on any other women? A Yes sir.
Q Very many? A Good many.
Q When was Hamilton Woodward born? A As well as I can remember, if I make no mistakes, 1901. I think. Now, I don't know exactly. I can't read or write.
Q You say 1901? A Yes sir.
Q What month? A April.
Q What day? A I don't know.
Q Was it early in April or late? A It might have been the first or second week, I don't know which.
Q Did you act as midwife at the birth of any child of a citizen of the Greek Nation about the time Hamilton was born? A I can't

Hamilton Woodard-----4.

Q How long after the birth of Hamilton Woodard was it that you were sick, this payment you refer to? A Two weeks.
Q It was not as much as a month? A No sir.
Q What was the matter? A Birth of the child.
Q Did he ever come to see you afterwards? A Yes, he waited on me this last child.
Q Do you know when the Greek Land Office opened, do you remember the circumstances? A I don't know that I remember or not.
Q Do you remember when people first began to file? A I don't think I do. I remember when I came to file.
Q When was that? A I don't remember the day.
Q About what time was that? A I couldn't tell you.
Q What year was it? A I couldn't tell you that much; many years before I married Richard.
Q What month was that? A Can't remember it.
Q How many years before the birth of Hamilton was it that you came in to file? A I couldn't tell.
Q Was it as much as a year? A I couldn't tell you.
Q Was it two years? A I don't know.
Q How does it happen that you can remember the exact date, the day and month of the birth of the child and can't remember the time of the filing? A Because he got the birth of the child down in a book.
Q Haven't you the date of the filing on some certificate or deed? A I expect it was on some deed. I can't read enough to know all that.
Q What time of the year was it that this child was born--Hamilton? A In the spring, in April.
Q Does your husband--Dick--does he do farm work? A Yes sir.
Q What kind of work did he do? A Breaking ground, getting ready to plant.
Q What kind of weather was it when this child, younger than Hamilton, was born? A----
Q What season was it, what kind of work were they doing in the fields then? A weren't doing anything; it wasn't working time.
Q I would like to have you think about the actual birth of that child, if you can, the time that was not named? A Never kept track of that, 'cause it was dead.
Q In what way did you keep track of Hamilton Woodard? A I put it down in a book.
Q Any other way? A I can't count enough to tell. Seen it in the book every day.
Q Every day? A Every time I picked up the book, Dick would always show it to me.
Q If you had put down the date of the other one, would you have kept track of that too? A Yes sir.
Q Do you know anything about the laws governing the enrollment of children--about what time they would have to be born in order to be enrolled? A No sir.
Q Have you any children younger than this one--that was born dead? A No sir.
Q Do you know when the last Greek treaty was made? A No sir. We takes no papers. We can't tell that going on until we come to town and they tell us.
Q Did you have a midwife at the birth of Hamilton Woodard? A Yes sir.
Q What is her name? A Jamie Morris.

Hamilton Woodard-----3.

Q When were they entered in the book? A Directly after we married.
Q All at the same time? A Yes sir.
Q Who are Francis Lewis and Julia Tittle? A My wife's children by former marriage.
Q You state in this book Hamilton was born on the 10th of April 1901? A Yes sir.
Q That's the date of his birth? A Yes sir.
Q You are his father? A Yes sir.

Beasie Woodard, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION.

Q What is your name? A Beasie Woodard.
Q What is your age? A 22.
Q Your postoffice? A Muskogee.
Q Are you a citizen of the Greek Nation? A Yes sir.
Q Do you know Dick or Richard Woodard? A Yes sir.
Q Is he any kin to you? A My husband.
Q Did you have any children by him? A Yes sir.
Q How many? A Two.
Q Are they living? A One is.
Q What is the name? A Hamilton Woodard.
Q When was he born? A April 10, 1901.
Q When were you married to Dick? A In 1900. I disremember the day; in July.
Q How long had you been married to him before you had this child? A I couldn't tell.
Q What was the name of the other child? A It was not named.
Q How long did he live, how many days or hours? A Born dead.
Q Did you have any children by any other man? A Yes sir.
Q What were their names? A Julia Tittle and Francis Lewis.
Q Is Julia Tittle older than Hamilton? A Yes sir.
Q How much? A I couldn't tell you, but Julia was born January 16, 1898; I couldn't tell how much older. If I figure up I might tell.
Q When was Francis Lewis born? A April 12, 1896.
Q Who was present when Hamilton Woodard was born? A Jane Morris; Annie Sanders.
Q Who else, anybody else? A Dick Woodard.
Q Anybody else? A That's all; and myself.
Q How many times were you married before you were married to Dick? A Once.
Q Who was the father of Francis Lewis? A Tom Lewis.
Q Were you married to him? A No sir.
Q Did you have any children between Julia Tittle and Hamilton Woodard? A No sir.
Q Did you have any between the birth of Francis and Julia? A No sir.
Q Did you have a doctor when this child, Hamilton, was born? A No sir; had a doctor afterwards.
Q Who was that doctor? A Dr. Williams.
Q M. W. Williams of Muskogee? A Yes sir.
Q Did you pay him? A Yes sir.
Q At the time he charged? A I don't remember when it was he paid him. This doctor came afterwards when I was sick.

Hamilton Woodard-----S.

Q Did you put down in this, and in the space reserved for that purpose, the date of your marriage? A No sir, I just put the paper, the license, in the book.
Q You did not write down the license? A No sir.
Q When did you put down the first entry of yourself, Richard Woodard? A Short time after I got married.
Q When did you put down the next entry, that about Beatie Woodard? A About the same time.
Q And the two children, Francis Lewis and Julia Little all written at the same time? A Yes sir.
Q About the year you got married, A Yes sir.

There is an file with the Commission a marriage license and certificate of the marriage of Richard Woodard and Beatie Little. Marriage license and certificate made a part of the record herein.

Q When were you married? A 1900.
Q What date? A The 26th day of July, I think. I am not certain. I think that is.
Q What was the name of the first child you had by Beatie Woodard? A Hamilton Woodard.
Q Had you ever lived with her before you married her? A No sir.
Q You spoke in your testimony before about the child younger than Hamilton, who afterwards died. A Yes sir.
Q What time did he die, what day and month? A Along February last.
Q What year? A In 1904.
Q How long before his death was Hamilton Woodard born? A I don't know exactly.
Q Can't you figure? A Yes, I figure; I didn't figure on that.
Q I don't want you to figure on that; I want you to tell how many years there are between that time--between the birth of Hamilton and the death of this younger child? A I am not certain. About three years.
Q Over three years or under? A A little under three years.
Q How much--how many months? A Three months, I think.
Q When was that child, who is now dead, the one you testified about was not named, when was he born? A About January first. That year? A 1904.
Q Did the same day it was born? A Yes sir.
Q You stated when here before that your wife had some children before you married her? A Yes sir.
Q What was the name of the father of these children? A I know the children.
Q What are their names? A Francis Lewis and Julia Little.
Q Do you know how old they are? A No sir; I don't know exactly.

BY MR. GRAVES:

Q You made this entry of the birth of Hamilton Woodard you say--how soon after its birth? A The next day.
Q Did you put down the correct date of his birth of that time in the book? A Yes sir.
Q You have in this book recorded the dates of the birth of yourself and your wife and Francis Lewis and Julia Little? A Yes sir.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

Muskogee, Indian Territory, February 18, 1905.

In the matter of the application for the enrollment of
Hamilton Woodard as a Creek Freedman. (ADDITIONAL TESTIMONY).

APPEARANCES:
GRAVENS, RUTHERFORD & GRAVENS (Per William M. Gravens),
Attorneys for the applicant.
(The office of the Creek Attorney was communicated
with by phone, and the Commission was informed that
the Creek Attorney was not in).

Dick Woodard, being duly sworn testified as follows:

EXAMINATION BY THE COMMISSION.

Q What is your name? A Richard (Dick) Woodard.
Q Are you the identical Dick or Richard Woodard, who, on January
20 testified here in the matter of the application for the enroll-
ment of Hamilton Woodard? A Yes sir.
Q Is that your child? A Yes sir.
Q Is he here now? A He is in town.
Q He is not in the room? A No sir.
Q When you appeared here before you stated that you had written
the date of that child's birth in your Bible? A Yes sir.
Q Have you that Bible with you? A Yes sir.
Q Is this it, here? A Yes sir.

There is presented for the inspection of the Commission
a large book entitled "Holy Bible," in the central part
of which, on a blank leaf reserved for the family record--
births--is written in indelible pencil the following:
Richard Woodard, Born Aug. 15, 1876.
" " May 16, 1878.
Beattie Woodard " " April 15, 1896.
Francis Lewis " " January 16, 1898.
Julia Little " " April 10, 1901.
Hamilton Woodard " " April 10, 1901.
All written in the same hand-writing, apparently; and from the
appearance seems to be written with the same sort of pencil.
From the freshness of the writing it appears as though all the
entries were put down at the same time.

Q When did you put down this entry of the birth of Hamilton
Woodard? A Next day after it was born.

That is the only writing it appears in said book.

Q Whose Bible is this--to whom does it belong? A Richard Woodard.
Q To yourself? A Yes sir.
Q When did you get this Bible? A I got it--I believe it was in
1900, the first year we were married.

Hamilton Woodward-----3.

Q Did you get a marriage license? A Yes sir, certainly.
Q Did you ever look at that license? A Yes sir.
Q You don't remember the date of the marriage and you do remember the exact date the child was born? A Yes sir.
Q How long had you married before this child was born? A Little over a year, I think.
Q Tell us near as you can now, what that Bible says about the children that you put down--in the very words that you used. Can you write?

A Richard Woodward, born August 15, 1876;
Beattie Woodward (forgot her age) about two years younger than I am;
Francis Lewis born--I don't remember when she was born, but she is 7 years old.
Q Did you write down her age in the Bible? A Yes sir, but it has been so long.
Q What time did you put her name in the Bible? A When we were first married.
Q You first married only about after Hamilton was born? A Yes sir.

Q And you can remember very distinctly the day and month when he was born, but you can't remember the other day. Didn't you put it down a little while ago--when was this child born? A I don't remember. We put her down the same time with Francis Lewis; Hamilton Woodward born April 10, 1901.
Q When did you put that down? A The night of his birth or in the morning.

Q Is that all? A That's all on that page.
Q And that is all on that page? A Yes sir.
Q In pencil? A Yes sir.
Q Didn't you put down the age of that youngest child? A No sir. We didn't name it.
Q Why didn't you? A It lived only three hours after it was born.

Q Did you know Beattie before you married her? A Yes sir.
Q How long did you know her? A All my life.
Q Did you know her children? A No, sir. I didn't know them.
Q You weren't present when they were born? A No sir.
Q How long after Hamilton's birth before you named him? A Next morning.

The applicant is advised, and his attorney, who is present, is also advised that the Commission desires him to bring in the Bible referred to and his marriage certificate (or a certified copy thereof). He is also advised to have his wife, Beattie Woodward, the midwife, Jennie Morris, and any other witnesses who know the date of this birth, before the Commission, for the purpose of being examined under oath. This is a time will be allowed.

I, J. Y. Miller, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify upon oath that the above and foregoing is a true and complete translation of my notes as same appear in my stenographic report of the case.

Subscribed and sworn to before me this 28th day of January, 1906.

[Signature]
Notary Public

Hamilton Woodard-----S.

Q What year? A 1904. I believe.
Q Don't you know? A Yes, I know it was 1904, last winter.
Q January first.
Q How do you remember that this child, Hamilton Woodard, was born
at the date given by you? A I was there.
Q Who else was there? A The midwife.
Q What was her name? A Jennie Morris.
Q Anybody else? A Annie Woodard.
Q Who was she? A Sister.
Q How do you know that this child was born the 10th of April?
We put its name down.
Q Where did you put it down? A In a bible.
Q Who put it down? A I did.
Q With a pen or pencil? A Pencil.
Q In the Bible? A Yes sir.
Q Have you got that Bible with you? A Not with me, it is at
home.
Q Were you present with your wife when she executed the affidavit
about the birth of this child? A Yes sir.
Q Where was that made? A Mr. Craven's office.
Q Did you or she have that Bible with you when that was made?
A Yes sir.
Q You consulted it, when you made it, about the affidavit of
this birth? A Yes, I looked at it.
Q Did your wife? A Yes, I suppose she did.
Q Are you sure it was the 10th day of April? A Yes sir.
Q It wasn't the 15th? A No sir.
Q What day of the week was that? A I don't remember now.
Q Who went after the midwife? A I did.
Q How far did you have to go? A I got her two or three days
before the child was born.
Q How far did she live from your place? A Seven miles.
Q Do you remember the first Greek Treaty that was made at
Oklumgee? A I can't remember--I remember it.
Q Was this child, Hamilton Woodard, living then? A Yes sir.
Q How old was it? A I don't remember how old it was then.
Q How does it come that you remember exactly the day, month and
the year in which this child was born about four years ago, and
don't exactly remember when this child was born last year? A
This other did not live.
Q Have you any children older than Hamilton? A Yes sir.
Q How many? A Two.
Q Are they living? A Yes sir.
Q What are their names? A They are not my children--step chil-
dren--Julia Little and Frances Lewis.
Q How old was Julia Little when Hamilton Woodard was born?
A I don't remember.
Q About how old? A I couldn't say.
Q How much older than Hamilton? A About five or six years; I
am certain.
Q What does that Bible say--are there any entries about the other
children? A I got all of them there.
Q What all of them--about those that were born before? A Yes sir.
Q Did you put down the names of the other children? A Yes sir.
Q When did you put those names down? A When we were first
married.
Q When were you married? A In 1899 or 1900.
Q What month and what day? A I don't remember what day.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

Muskogee, Indian Territory, January 20, 1905.

In the matter of the application for the enrollment of
Hamilton Woodard as a Creek Freedman.

APPEARANCES:
Cravens, Rutherford & Cravens, Attorneys for Applicant.

On August 29, 1904, there was filed with the Commission an affidavit relative to the birth of Hamilton Woodard. This affidavit is considered by the Commission as an application for the enrollment of said child as a Creek Freedman.

Richard Woodard, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION.

Q What is your name? A Richard Woodard.
Q How old are you? A About 28.
Q What is your postoffice address? A Muskogee.
Q Are you a citizen of the Creek Nation? A Creek Freedman.
Q Have you a child named Hamilton Woodard? A Yes sir.
Q What is the name of the mother of the child? A Beatie.
Q Is she your wife? A Yes sir.
Q Is she enrolled here as a Creek Freedman? A Yes sir.
Q Under what name was she enrolled? A As Beatie Tuttle.

The records of the Commission examined and it appears that Dick Woodard is listed on Creek Freedman Card, Field No. 884; that his name is contained in a partial list of Creek Freedmen approved by the Secretary of the Interior March 28, 1902, No. 3167. Beatie Tuttle is listed on Creek Freedman Card, Field No. 746, and her name appears on a partial list of Creek Freedmen approved by the Secretary of the Interior March 28, 1902, No. 2890.

Q You are sometimes called Dick? A Yes sir.
Q What is the name of your father? A Lewis.
Q Your mother? A Peggie.
Q Have you a child you want to make application for? A Yes sir.
Q What is the child's name? A Hamilton Woodard.
Q When was he born? A On April 10, 1901.
Q Is he living? A Yes sir.
Q Can he walk? A I reckon he can, yes.
Q Can he talk plainly? A Yes sir.
Q Have you any other children? A Yes sir.
Q Any younger than Hamilton? A One.
Q When was that child born? A Last winter, the first day of January.

CR
EN 844

CR
EN 844

in the matter of the
Application of

for
ER8

James R. Gibson

as a citizen of the State of

California

and that
the same is
to be
the same
the same
the same

Register.
(OHM) WHA

Commissioner.

Respectfully,

permitted to offer any testimony you may desire.

1911, at nine o'clock A. M. at which time you will be

the Creek Nation, has been continued until Tuesday, May 2,

to participate in the division of the tribal property of

such date and that his estate, therefore, is not entitled

be placed upon the approved roll that he died prior to

die prior to April 1, 1899, and that notation should not

of evidence tending to show that Sampson McGilbray did not

in this office on April 8, 1911, for the introduction

You are hereby notified that the hearing held

Sir:

Copp, Oklahoma.

Gdn. of Dollie Geter, nee Corbray,

Daniel Geter,

Muskogee, Oklahoma, April 18, 1911.

Register.
WHA(ORW)

Commissioner.

Respectfully,

permitted to offer any testimony you may desire.

8, 1911, at nine o'clock A. M., at which time you will be

the Creek Nation, has been continued until Saturday, April

to participate in the division of the tribal property of

such date and that his estate, therefore, is not entitled

be placed upon the approved roll that he died prior to

die prior to April 1, 1890, and that notation should not

of evidence tending to show that Sampson McGilbray did not

in this office on March 24, 1911, for the introduction

You are hereby notified that the hearing held

Sir:

Oklahoma, Oklahoma.

Gdn\ of Dollie Geter, nee Corbray.

Daniel Geter,

Muskogee, Oklahoma, April 2, 1911.

GBR-2

as a Greek President, roll No. 5837, and contains certain information which this office considers improper to furnish you at this time.

Respectfully,

Commissioner

WHA(101)

67-2988

Muskogee, Oklahoma, March 23, 1911.

Mr. George B. Ramsey,
Attorney at Law,
Muskogee, Oklahoma.

Sir:

Receipt is hereby acknowledged of your letter of March 21, 1911, wherein you state that on September 8, 1910, R. Dean Wilson filed a supplemental petition asking for the cancellation of the enrollment of Sampson McGilbray. You further state that a brief was ^{also} ~~filed~~ filed in the case by Messrs. Hutchings & German, setting forth the testimony upon which they proposed to rely to sustain the application. You also state that you represent A. B. Reese and J. A. Hull, the persons who purchased the entire allotment of said Sampson McGilbray from the heirs, and request to be furnished with a copy of the above mentioned papers filed by Hutchings & German. Replying thereto you are advised that the paper referred to by you was filed by Messrs. Hutchings & German for the use of this office in connection with the institution of proceedings looking to the cancellation of the enrollment of Sampson McGilbray.

Refer in reply to the following:

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

Muskogee, Oklahoma, March 13, 1911.

W. M. McJannet,

Henrietta, Oklahoma.

Sir:

You are hereby notified that a hearing will be held in this office Friday, March 24, 1911, at nine o'clock, A. M., for the introduction of any evidence you may desire tending to show that Sampson McGilbray did not die prior to April 1, 1899, and that notation should not be placed upon the approved roll that said Sampson McGilbray did die prior to such date and that his estate, therefore, is not entitled to participate in the division of the tribal property of the Creek Nation.

Respectfully,

Acting Commissioner.

Register.
WHA(OHM)

Winkler, Oklahoma, March 18, 1911.

Dear Sir:

Winkler, Oklahoma

1911

You are hereby notified that a hearing will be held in this office Friday, March 24, 1911, at nine o'clock, A. M. For the introduction of any evidence you may desire tending to show that Sampson McGilbray did not die prior to April 1, 1899, and that notation should not be placed upon the approved roll that said Sampson McGilbray did die prior to such date and that his estate, therefore, is not entitled to participate in the division of the tribal property of the Creek

Winkler.

Respectfully,

Commissioner.

(100)
1911

Muskogee, Oklahoma, March 13, 1911.

Mr. Gussie McGilbray,
Boynton, Oklahoma.

Sir:

You are hereby notified that a hearing will be held in this office Friday, March 24, 1911, at nine o'clock, A. M., for the introduction of any evidence you may desire tending to show that Sampson McGilbray did not die prior to April 1, 1899, and that notation should not be placed upon the approved roll that said Sampson McGilbray did die prior to such date and that his estate, therefore, is not entitled to participate in the division of the tribal property of the Creek Nation.

Respectfully,

Commissioner.

WHA(OHM)
Registrar.

Muskogee, Oklahoma, March 13, 1911.

Daniel Geter, Gdn. Dollie Geter,

Boynton, Oklahoma.

Sir:

You are hereby notified that a hearing will be held in this office, Friday, March 24, 1911, at nine o'clock, A. M., for the introduction of any evidence you may desire tending to show that Sampson McGilbray did not die prior to April 1, 1899, and that notation should not be placed upon the approved roll that said Sampson McGilbray did die prior to such date and that his estate, therefore, is not entitled to share in the division of the tribal property of the Creek Nation.

Respectfully,

Commissioner.

WHA(ORH)
Register.

Register.
(WMA) (WMA)

Commissioner.

Respectfully,

Wagon.

in the division of the tribal property of the Creek
his estate, therefore, is not entitled to participate
Sampson McGilbray did die prior to such date and that
should not be placed upon the approved roll that said
did not die prior to April 1, 1899, and that notation
you may desire tending to show that Sampson McGilbray
o'clock, A. M., for the introduction of any evidence
held in this office Friday, March 24, 1911, at nine
You are hereby notified that a hearing will be

Sir:

Boynton, Oklahoma.

Boston Thompson,

Muskogee, Oklahoma, March 13, 1911.

Register.
(OH) WHA

Commissioner.

Respectfully,

Nation.

in the division of the tribal property of the Creek
his estate, therefore, is not entitled to participate
Sampson McGilbray did die prior to such date and that
should not be placed upon the approved roll that said
did not die prior to April 1, 1899, and that notation
you may desire tending to show that Sampson McGilbray
o'clock, A. M., for the introduction of any evidence
held in this office Friday, March 24, 1911, at nine
You are hereby notified that a hearing will be

Sir:

Boynton, Oklahoma.
Ned Thompson,

Muskogee, Oklahoma, March 13, 1911.

Muskogee, Oklahoma, March 13, 1911.

T. J. Regan,

Muskogee, Oklahoma.

Sir:

You are hereby notified that a hearing will be held in this office Friday, March 24, 1911, at nine o'clock, A. M., for the introduction of any evidence you may desire tending to show that Sampson McGilbray did not die prior to April 1, 1899, and that notation should not be placed upon the approved roll that said Sampson McGilbray did die prior to such date and that his estate, therefore, is not entitled to participate in the division of the tribal property of the Creek

Nation.

Respectfully,

Commissioner.

WHA(ORN)
Register.

Refer in reply to the following:

COMMISSIONER TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

Muskogee, Oklahoma, February 25, 1911.

Mr. Gussie McGilbray,
Benton, Oklahoma.

Sir:

You are hereby notified that a hearing will be held in this office Monday, March 6th, 1911, at nine o'clock, A. M., for the introduction of any evidence you may desire tending to show that Sampson McGilbray did not die prior to April 1, 1899, and that notation should not be placed upon the approved roll that said Sampson McGilbray did die prior to such date and that his estate, therefore, is not entitled to participate in the division of the tribal property of the Creek Nation.

Respectfully,

Acting Commissioner.

DHB(VR)
Register.

G.T. 6939

Muskogee, Oklahoma, February 24, 1911.

William A. Green,

Muskogee, Oklahoma.

Sir:

Receipt is hereby acknowledged of your letter of February 20, 1911, wherein you request that the case in the matter of taking additional testimony relative to the death of Sampson Gildray, a Creek citizen be kept open until the latter part of next week in order that Mr. M. H. Smith of Muskogee, Oklahoma, who is attorney for the heirs of the deceased, may be present.

Replying thereto you are advised that the above mentioned case has been continued until March 6, 1911, and the heirs have accordingly been notified.

Respectfully,

Acting Commissioner.

Register.
CP(ORM)

Muskogee, Oklahoma, February 11, 1911.

Ned Thompson,
Boynton, Oklahoma.

Sir:

You are hereby notified that a hearing will be held in this office Monday, February 20, 1911, at nine o'clock, A. M., for the introduction of any evidence you may desire tending to show that Sampson McGilbray did not die prior to April 1, 1892, and that notation should not be placed upon the approved roll that said Sampson McGilbray did die prior to such date and that his estate, therefore, is not entitled to participate in the division of the tribal property of the Creek Nation.

Respectfully,

Acting Commissioner.

DHB(VR)
Register.

Register.
DRB(VR)

Acting Commissioner.

Respectfully,

Waton.

in the division of the tribal property of the Creek
his estate, therefore, is not entitled to participate
Rampson McGilbray did die prior to such date and that
should not be placed upon the approved roll that said
did not die prior to April 1, 1899, and that notation
you may desire standing to show that Rampson McGilbray
o'clock, A. M., for the introduction of any evidence
held in this office Monday, February 20, 1911, at nine
You are hereby notified that a hearing will be

Sir:

Omulgee, Oklahoma.
Care Daniel Jeter,
Dellie Jeter, nee Corbray,

Muskogee, Oklahoma, February 11, 1911.

Muskogee, Oklahoma, February 11, 1911.

Beaton Thompson,
Boynton, Oklahoma.

Sir:

You are hereby notified that a hearing will be held in this office Monday, February 20, 1911, at nine o'clock, A. M., for the introduction of any evidence you may desire tending to show that Sampson McGilbray did not die prior to April 1, 1899, and that notation should not be placed upon the approved roll that said Sampson McGilbray did die prior to such date and that his estate, therefore, is not entitled to share in the division of the tribal property of the Creek Nation.

Respectfully,

Acting Commissioner.

DHS(VR)
Register.

OT 22 893

Shakopee, Indian Territory, January 13, 1906.

M. L. Kott,
Attorney for the Creek Nation,
Shakopee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the
Commissioner to the Five Civilized Tribes in the matter of the
application for the enrollment of Sampson McGilbray, deceased, an
a Creek Freedman.

You are hereby advised that the Creek Nation will be allowed
fifteen days from date hereof within which to protest against the
enrollment of said Sampson McGilbray, deceased, and if, at the ex-
piration of said time, no protest has been filed, said Sampson
McGilbray, deceased, will be regularly listed for enrollment as a
Creek Freedman.

Respectfully,

Commissioner.

12-13-3

D. A.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

| |
|----------------------------------|
| REPLY IN REPLY TO THE FOLLOWING: |
| Fr. 893 |

Muskogee, Indian Territory, October 2, 1902.

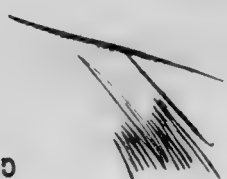
James Wade,

Holdenville, Indian Territory.

Dear Sir:

You are requested to appear at the office of the Commissioner to the Five Civilized Tribes in Muskogee, Indian Territory, for the purpose of being examined under oath, relative to the date of the death of Sampson McGilbray.

Respectfully,



Commissioner.

2624

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

COMMISSIONERS:
TAMM BERRY,
THOMAS B. WHEELER,
C. E. BRIDGEMAN,
WM. O. REALL,
Secretary.

Muskogee, Indian Territory, January 20, 1905.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
ADDRESS ONLY THE

Police Corpra.

Boynton, Indian Territory.

Dear Madam:-

On this date Robert James appeared before the Commission and gave testimony concerning the right of your son, Sampson McGilbray, deceased, to enrollment as a Creek Freedman. You are advised that the Commission desires further evidence on this point and you will be allowed thirty days from date hereof within which to appear before the Commission at its office, in Muskogee, Indian Territory, with two witnesses who know the date of the death of said Sampson McGilbray, for the purpose of being examined under oath.

Respectfully,

Chairman.

A: I don't know, it was a strange man. If you would call it I would remember it. It was a kind of a funny name.
Q: Did you convey your interest in the land allotted to Sampson McGilberry to Lloyd Thomas of Holdenville?
A: I think that is his name.
Q: Was that in 1907?
A: I suppose it was. I don't remember.
Q: Did Lloyd Thomas come to your house?
A: No we had this transaction at Hovington.
Q: How much did you receive as a consideration for executing this conveyance?
A: I think it was \$112.50, he gave me and my brother the same. They gave in all \$225 at first they didn't want to give that much.
Q: \$112.50 was paid to your brother Ned Thompson?
A: Yes sir.

Witnesses examined.

Lula C. Laval, on oath stated that as stenographer to the Commissioner to the Five Civilized Tribes she reported the proceedings had in the above entitled matter on this date, March 24, 1911, and that the above and foregoing is a true and correct transcript of her stenographic notes taken therein.

Lula C. Laval

Subscribed and sworn to before me
this 24th day of March, 1911.

R. P. McManis
Notary Public

Q: Who were the parties that came to you and secured the conveyance of the land of Sampson McGilbray?
A: That is all.
Q: You don't know anything about it except what the parties told you?
A: Yes they claimed the land was at Holdenville.
Q: Did you sign some papers at that time?
A: I suppose to a certain extent, I did.
Q: Then you did execute a deed of conveyance to some persons?
A: They wanted to give the heirs so much and we took it. Sampson had some land down there they wanted to buy and he said but the parties came down there and told us that Sampson McGilbray to any person, and if so, to whom? Did you convey any of the land that has been allotted to April 1, 1899? A: No sir.
Q: You have no evidence to show that he was living after that time? A: No sir.
Q: You have no evidence to offer that he was not killed during 1898? A: Yes I understood it at the time my father-in-law died.
Q: You understand then from what you had heard from different sources that Sampson McGilbray was killed during the year 1898? A: Yes I understood it at the time my father-in-law died.
Q: I don't know how long it was but it was after he was killed during that year?
Q: Pare Brunner told you that Sampson McGilbray had been killed and that was before your father-in-law died?
Q: I don't know how long it was, but it was close together, it might not have been before the burial but he happened to be at the burial.
Q: You understand then from what you had heard from different sources that Sampson McGilbray was killed during the year 1898? A: Yes I understood it at the time my father-in-law died.
Q: Pare Brunner told you that Sampson McGilbray was killed during that year?
Q: When was it your wife's father died, in 1898? A: Yes sir.
Q: And told us he was killed.
Q: Was at the time my wife's father died, he came down there boy being killed, what is as far as I can tell you. That old man Pare Brunner came down there and told us about the I will tell you how I got that, my wife's father died and killed in 1898?
Q: Do you know as a matter of fact whether or not he was killed in 1898?
Q: Sampson was killed in 1898.
Q: (Witness handing paper) On which is notation that No sir. As far as I know that is the time he died. Sampson McGilbray died subsequent to April 1, 1899? Have you any evidence to offer tending to show that Do you appear here in response to that notice? A: Yes sir. of the tribal property of the Greek Nation. therefore is not entitled to participate in the disposition McGilbray had died prior to said date, and that his estate not be placed upon the approved roll that said Sampson prior to April 1, 1899 and subsequent if notation should introduce tending to show that Sampson McGilbray did not die for the introduction of any evidence you might desire to hearing would be had in this office today at 9 o'clock A.M. from this office dated March 13, 1911 notifying you that a You appear here today in response to a notice sent you I usually go about Saturdays.
A: the people who are going by. I ask them to bring it to me. If I am expecting a letter of importance I go or I send by Do you go to the postoffice there at Lee, frequently? Yes sir.
Q: A letter addressed to him in your care would reach him?

Department of the Interior,
Commissioner to the Five Civilized Tribes,
Muskogee, Oklahoma, March 24, 1911.

In the matter of the enrollment and death of Sampson
McGillray, deceased, Creek freedman, roll No. 5637.

BOSTON THOMPSON, being first duly sworn by Phil A. Harrison,
Deputy Clerk of the United States Court
for the Eastern District of Oklahoma,
testified as follows:

Examination conducted on behalf of Commissioner by Mr.
W. H. Angell.

Q: What is your name? A: Boston Thompson.
Q: What is your postoffice address? A: Lee, Oklahoma.
Q: What is your age? A: About 52.
Q: Are you enrolled as a Creek freedman? A: Yes sir.
Q: What is the name of your father? A: Quash McGillray.
Q: What is the name of your mother? A: Maggie McGillray.
Q: How did you get the name of Boston Thompson?
A: From my grand-father on my mother's side.
Q: What is your grand-father's name? A: Cow tom.
Q: Did your grand-father give you the name of Boston Thompson?
A: I don't know who gave me that name, I never asked that who
gave me the name of Boston Thompson.
Q: Did you know Sampson McGillray? A: Yes sir.
Q: Is he now living? A: No, sir, that is what I was told.
Q: What kin was he to you? A: A half brother, one father.
Q: What was the name of his father? A: Quash McGillray.
Q: What is his mother's name? A: Dolly McGillray.
Q: Do you know when Sampson McGillray died? A: I really don't.
Q: No sir, I don't.
Q: Was he killed by someone? A: So I was told, I don't know.
Q: Of course I don't myself know nothing about it.
Q: Is Dolly McGillray known by any other name, is she known
as Gilbert or any other name?
Q: Yes sir, she married several times since that.
Q: Do you know as a matter of fact whether Sampson McGregor is
now living? A: No, no sir, I don't.
Q: He was a half brother of yours? A: Yes sir.
Q: Is Ned Thompson your brother? A: Yes sir.
Q: He is a full brother, is he? A: Yes sir.
Q: What is his postoffice address? A: I think it Conn, Okla.
Q: Is Dolly McGillray living?
Q: I suppose so, the last time I heard from her she was living.
Q: Is she in her right mind? A: No sir, not very, from what
I learned they sent her off, she is insane.
Q: Do you know who her guardian is? A: No sir, I don't.
Q: Is Quash McGillray your father living? A: Yes sir.
Q: Does he live with you? A: Yes sir.
Q: What is his postoffice address? A: Lee, Oklahoma.

I.D.

or in 1903

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
Sampson McGilbray, deceased, as a Greek freedom.

.....DECISION.....

The record in this case shows that prior to September 1,
1904, the name of Sampson McGilbray, deceased, was listed for en-
rollment on Greek Freedom card, No. 1338. Further proceedings
were had January 25, March 31, May 8, June 14, September 30,
October 12 and November 14, 1903.
The evidence shows that the name of said Sampson McGilbray,
deceased, appears on the 1890 authenticated Tribal Roll and on the
1895 Pay-Roll of the Creek Nation.
The evidence further shows that said Sampson McGilbray, de-
ceased, was born prior to April 1, 1892, that he was a resident of
the Creek Nation all his life and that he died in the month of
October, 1892.
It is, therefore, ordered and adjudged that said Sampson
McGilbray, deceased, is entitled to be enrolled as a Greek freed-
man, in accordance with the provisions of the act of Congress ap-
proved June 28, 1898 (30 Stat., 425) and March 1, 1901 (31 Stat.
861), and the application for his enrollment as such is accordingly
granted.

Commissioner.

Muskogee, Indian Territory.

JAN 12 1906

OF EN 893

I.D.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

In the matter of the application for the enrollment of
Sampson McGilbray, deceased, as a Creek Freedman.

SUPPLEMENTAL STATEMENT.

The 1890 Antiquities Bill of the Creek Nation ex-
amined, and the name Sampson McGilbray appears thereon at page 68.
Canadian Town, in the family of Holly Gordy or Anderson.
The 1895 Bill of the Creek Nation, Canadian Town, ex-
amined and the name Sampson McGilbray appears thereon at p. 68.
in the family of Irish McGilbray.

Commissioner.

November 14, 1906.
Tulsa, Indian Territory.

in said cause on said date.

Subscribed and sworn to before me
this 12 day of October 1908.

Anna Thompson

Notary Public.

Q Don't you remember about your own filing at all? A I don't remember now what time the old man did come down and file.
 Q I am not asking you the year but the circumstances? A No, sir.
 Q How long after he filed for you before you heard he had filed?
 A He went right back and told me.
 Q You remember that do you? A Yes, sir.
 Q Was Sampson living then? A No, sir.
 Q Are you sure of that? A Yes, sir.
 Q How long had he been dead at that time? A I can't exactly tell how long it had been.
 Q Do you remember what time of the year it was when your father filed for you? A He filed for me--I believe it was in the spring.
 Q Did Sampson McGilbray die before he filed for you? No answer.
 Q Did you talk over this case with anybody before you came down here? A No, sir.
 Q How is it that the only thing you seem to remember is that Sampson died six years ago and that it was in 1899? A I come to recollect by the birth of that child.
 Q And that child's name was Rena Van? A Yes, sir.
 Q Was it enrolled? A I can't tell whether it was enrolled or not.
 Q What do you say was the name of its mother? A Della Bango, she was a Seminole.
 Q The child was a Seminole and not a Greek? A Yes, sir but they live in the Greek Nation, that was my stepson's wife and after he died she got another man.

Witness is identified on the approved roll of Greek Freedmen's opposite No. 118 and it appears from the records of this office that a selection of land in the Greek Nation was made for him March 12, 1900.

Benjamin Barnett being duly sworn testified as follows:

Q What is your name? A Benjamin Barnett.
 Q What is your age? A 65.
 Q What is your post office? A Pato.
 Q Did you know Sampson McGilbray? A Yes, sir.
 Q Are you a citizen of the Greek Nation? A Yes, sir.
 Q Filed on your land? A Yes, sir.
 Q Was Sampson living at the time you filed on your land? A I couldn't tell that, I think he was. It may not be but I think he was.
 Q How long ago did Sampson die? A In 1899.
 Q How long ago was that? A About six years.
 Q What fixes the date in your mind, how do you remember it?
 A Well we had a drought in 1900 and he died the year before the drought and from 99 till now is six years.
 Q Did Sampson die the year before you had the drought? A Yes, sir.
 Q Did you live near Sampson? A Yes, sir.
 Q How near? A I reckon about a mile.
 Q Did you go to the funeral? A Yes, sir.
 Q And you are sure he died in 1899? A Yes, sir.
 Q What time in the year? A What he in the fall, it was cold--I know it was in the fall.
 Q You are sure it was in the fall of 1899? A Yes, sir.
 Q Do you remember about the Greek land office opening? I don't remember the time.
 Q Do you think he died before or after the Greek land office opened? A I don't know but I think it was after.

I, Anna G. G. G., state on oath that the above and foregoing is a true and correct transcript of my stenographic notes as taken

In the matter of the application for the enrollment of
Sampson McGilbray as a Greek freedman.

Island Grayson being duly sworn testified as follows:

Q What is your name? A Island Grayson.
Q What is your age? A I couldn't tell exactly how old I am, but
am a little over forty I think.
Q Have you testified in this case before? A Yes, sir.
Q What is your post office address? A Paris.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q Did you know Sampson McGilbray? A Yes, sir.
Q How long has he been dead? A About six years.
Q What time of the year did he die? A In the fall, in October.
Q Do you know what year he died in? A I think I do.
Q Do you know when the Creek Land Office opened? A I couldn't
tell exactly what time it opened.
Q You remember the circumstances of its opening? A No, sir.
Q Don't remember anything about it? A I could remember, but not
what time it was.
Q I am not asking you for the year but do you just remember the
opening of the Creek Land Office? A I couldn't tell exactly
what time.
Q Did Sampson McGilbray die before or after the Creek Land Office
opened? A After.
Q About how long after? A I couldn't exactly tell but I know it
has been about six years since he been dead.
Q What year did he die in? A I believe it was in 1899.
Q Are you sure of that? A Yes, sir.
Q How do you remember the year? A How come I to remember--I
remember by the birth of a child.
Q What child? A It was one of my stepson's wife's children.
Q What was her name? A Delilah.
Q What was the child's name? A Rena.
Q What was the child's last name? A Rena Van.
Q Sampson died the same year the child was born? A Yes, the
child was born in the spring, April I think it was, and that
same year the coming fall Sampson died.
Q Did you live near Sampson? A Yes, sir.
Q How near? A About two miles I guess or two and a half miles.
Q Did you go to the funeral? A Yes, sir.
Q Are you certain he died about six years ago? A Yes, sir.
Q That he died in the fall after Rena Van was born? A Yes, sir.
Q Did you live on land in the Creek Nation? A I didn't do it
myself but my brother-in-law did.
Q Do you remember when he filed for you? A No, sir I can't tell.

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskege, I. T., September 30, 1905.

In the matter of the application for the enrollment of
Sampson McGilbray, deceased, as a Greek freedman.

Dollie Corbey, being duly sworn, testified as follows:

Q Were you ever the wife of Charlie McGilbray? Yes, I was.
Q What is your age? A About forty six.
Q What is your name? A Dollie McGilbray.

Witness is identified as Dollie Corbey on Greek freedman
card filed No. 427 and her name is contained in a partial
list of Greek freedmen approved by the Secretary of the
Interior March 13, 1905, roll No. 1643.

Q Are you the mother of Sampson McGilbray? A Yes, sir.
Q Who is his father? A Quash McGilbray.
Q Was Sampson with you at the time you were enrolled? A Yes,
sir and I was looking for his father to enroll him but he

didn't and I started to enroll him.
Q Did he die the same year you were enrolled? A I couldn't
exactly tell you but he died in October.

Q Do you remember what time of the year you were enrolled? A I
couldn't tell.

Q Was it in the summer time? A In the spring I think.
Q Did Sampson die the same year you were enrolled? or a year after
that or when? A I just couldn't tell you but we were called
United States citizens when he died, some time close by the time
I was enrolled but I couldn't tell you what day.

Q You say he died the same year you were declared United States
citizens? A Yes, sir in October he died. He was living with
me, he and his father couldn't get along and he and Henry went
out West, and was killed.

Q Who killed him? Henry Wade, he goes by the name of Jones too.
Q Was Henry ever arrested or tried for that killing? A No, sir.
Q Where does Henry Jones live? A Out West right where he was
when he done the killing.

Q Do you know his post office address? A Holdenville I suppose.
Q Have you a grand old named Thomas Boreby? A I haven't any
children that had children. My children all died little, I had
ten head of children but they are all in heaven somewhere.

Q Can you tell me of any one that knows just when Sampson died?
A Robert James, Little River.

Q What is his post office? A Holdenville.

Q Who else? A James Wade.

Q What is his post office? A Holdenville.

Q Is Quash McGilbray the father of Sampson? A Yes, sir.

The Commission states that the witness is evidently weak
minded.

I, Anna Garrison, state on oath that the above and foregoing
is a true and correct transcript of my stenographic notes as taken
in said case on said date.

Anna Garrison

Subscribed and sworn to before me this 2nd day of October 1905

Edw C Grimes

Notary Public

(SEAL)

Q He was one of the first men to come up here to file for land?
A Yes, sir.
Q Do you remember the opening of the land office, the fact?
A Yes, sir.
Q You are sure that it was the fall after that, that this
Sampson McGilbra died? A Yes, sir, the coming fall.
Q Have you always lived near McGilbra? A Yes, sir, nearly all
his life.
Q Who helped you lay him out at the time? A Old man Wade,
Simon Wade.

Robert James, being duly sworn, testified as follows:
Examination by the Commission.

Q How old are you? A Thirty something.
Q What is your post office address? A Holgenville.
Examination by O'Hare.

Q Do you know Quash McGilbra? A Yes, sir.
Q Do you know Dolly McGilbra? A Yes, sir.
Q Do you know her as Dolly McGilbra the mother of Sampson McGilbra?
A Yes, sir.
Q Now Mr. James I want you to tell the gentlemen here what you
have done recently with reference to trying to get Dolly McGilbra
here before the Commission? A I went out last week and hunted
for Dolly McGilbra and couldn't find her. I had seen her some
time ago and they told me her post office was at Boynton. I
written her several letters and never got an answer.
Q Did you go to Boynton to look for her? A Yes, sir.
Q How long time did you spend? A Two days.
Q What do you know as to the mental condition of Dolly McGilbra?
A She is not good in her mind. I can prove that by several parties
you know her intimately? A Yes, sir.
Q Do you know her as being in the habit of going away and
wandering off? A Yes, sir, traveling about all the time some-
times to Oklahoma.
Q What do you say as to what people said around Boynton? A They
say she is not quite right in her mind.
Q Did you find any trace of her? A No, sir. They hadn't seen
her that week.
Q She is a pretty old woman? A Yes, sir.
Commission.

Q Do you think if Dolly McGilbra was here she would be capable
of giving intelligent testimony in the case? A I know she
wouldn't.

I. J. Y. Miller, on oath state that as stenographer to the
Commission to the Five Civilized Tribes, I reported the above case
and that this is a true, full and correct transcript of my
stenographic notes in the same, as said notes appear in said report.

J. Y. Miller

Subscribed and sworn to before me the 15 day July 1905.

Edw C Grimes

Notary Public.

(SEAL)

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskegee, Ind. Terr., June 14, 1905.

In the matter of the application for the enrollment of
Sampson McGilbra as a Creek Freedman.

APPEARANCES. Hart & O'Hare attorneys for applicant.

Aaron Bruner, being duly sworn, testified as follows:

Q What is your name? A Aaron Bruner.
Q How old are you? Forty.
Q What is your post office address? A Paro.
Q Do you know Sampson McGilbra? A Yes, sir.
Q Do you know his wife, Dolly? A Yes, sir.
Q Do you know a child of theirs named Sampson McGilbra? Yes, sir.
Q Is Sampson living or dead? A Dead.
Q How long has he been dead? A He died in the fall of 1899.
Q Do you remember when the Creek land office opened? A Yes, sir.
Q Was Sampson McGilbra living at that time? A Yes, he died
that coming fall.
Q After the land office opened? A Yes, sir.
Q What makes you remember his death? A I was there at his death.
Q I waited on him till he died, helped bury him.
Q Do you remember when you filed on your land? A I didn't file
myself, my father did.
Q Do you remember when that was? A No, sir, not exactly.
Q Do you remember the circumstances of his coming up here and
filing? A I don't know the date. He made two trips up
here. I don't know just what time. I don't remember when
he did complete filing for us. I don't remember whether it
was at Okmulgee, I can't say.
Q How old about was Sampson McGilbra at the time of his death?
A I don't know sure, he was just a young fellow.
Q About? A I don't know. I think he was something about
eighteen. I am just guessing at it.
Q What makes you remember the date that Sampson McGilbra died?
A I remember the year and the month but I don't remember the day.
His father got me to take care of him until he died. I
surrounded him and helped bury him.
Q Are you sure that it was after the land office opened that he
died? A Yes, sir.

Examination by Mr. O'Hare.

Q You remember do you Mr. Bruner what time of the year it was?
You said it was in the fall? A Yes, sir.
Q Now what makes you remember it was in the fall? Can you tell
what kind of work they were doing at that time? A They were
gathering corn.
Q Is there anything makes you remember the time you gathered corn?
A That night ~~Sampson~~ the father came and got me to help
him sit up with his boy that night and the next morning we went
to the folks and asked them if they were coming to bury him
today, they said no, tomorrow: they said we are pulling corn
and will come to the funeral tomorrow.
Q Do you know Paro Bruner of your town down there? A Yes, sir.

Sampson McGilbray-----2.

Q Are you related to Sampson McGilbray? A Relation?
Q Yes, A No sir.
Q No relation to him at all? A Yes sir; brother-in-law to his father.
Q Your daughter said that you had a Bible in which was written the date of the death of Sampson McGilbray; have you that with you? A We had a Bible, but it was destroyed.
Q What happened about it? A The children got it wet and left it out there, and since the leaves came to pieces.
Q Did you throw it away? A Just threw it away after it got spoiled.
Q How long ago was that? A A good while ago.
Q Do you remember the month Sampson died in? A If I am not mistaken, it was along in October, but what day I can't tell.
Q Have you a grand-child named Comanche Brinner? A Yes sir.
Q Do you remember when Comanche Brinner was born? A No sir, I disremember.
Q Do you remember the time--do you remember its being born?
A I remember when it was born; that year it was, I don't remember.
Q Was Sampson McGilbray living when Comanche was born? A To tell the truth, sir, I disremember.
Q Do you remember what time of the year Comanche Brinner was born?
A No sir.
Q You state that you remember as well as near when Sampson died and you don't remember when your own grand-child was born?
A Sampson--he died in my house there; he died right in my house.
Q Was your grand-child born somewhere else? A Yes sir.
BY MR. O'HARR:
Q Now Mr. Wade, what kind of weather was it, do you remember, was it cold or warm, at the time this Sampson McGilbray died? A It was cold weather.
Q Do you remember the circumstance of the land office opening here, when they all came here to be enrolled? A I don't remember.
Q But do you remember the time? A It was along in the spring, if I mistake not.
Q At the time the officers came in and commenced to enroll, was Sampson living then, and did he die after that office was opened?
A Yes, died after.
Q Was it the same fall or not? A Yes, the same fall.
Q And this Bible that your daughter spoke about, Mr. Wade, did you keep such book there in the house? A Yes sir.
Q And did you keep a record of all your relations that died--did you have their names put there when they died? A I had my children to keep it.
Q And do you know whether the time Sampson died was but there or not? A Yes, I put it there.
Q And you say he died in your house? A Right in my house.

INDIAN TERRITORY, Western District.
I, J. Y. Miller, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify that the above and foregoing is a true and complete translation of my notes as taken in my stenographic report of this case.

Sworn to and subscribed before me this 2nd day of May, 1906.
[Signature]
Notary Public

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Washington, Indian Territory, May 2, 1902.

In the matter of the application for the enrollment of Sampson McGilbray as a Creek.

APPEARANCES:
HART & O'HARE, Attorneys for the applicant.

Sam Wade, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION:

Q What is your name? A Sam Wade.
Q How old are you? A I am 62.
Q What is your postoffice address? A Paris.
Q Are you a citizen of the Creek Nation? A Yes sir.
Q What is the name of your wife? A Tina.

The witness is identified as Sam Wade, on Creek Freedman card, Field No. 10, and his name is contained in the partial list of Creek Freedmen approved by the Secretary of the Interior March 13, 1902, Roll No. 41.

Q Do you know Sampson McGilbray? A Yes sir.
Q Do you know his wife, Dollie McGilbray? A Yes sir.
Q Are they living? A Both living.
Q Do you know a child of theirs named Sampson McGilbray? A Yes sir.
Q Is Sampson living or dead? A Dead.
Q How long has he been dead? A Now, sir, I don't know; but then if I am not mistaken, about the same year the land office opened up.
Q Did the same year it opened? A Yes sir.
Q What time of the year did he die? A In the fall.
Q Did he die in the fall after the land office opened? A Yes, after.
Q The land office opened in the early spring; it opened the first of April, do you remember that? A Yes sir.
Q Did Sampson McGilbray die in the fall after that? A Yes sir.
Q Or the fall before? A After that.
Q Did you live near Sampson McGilbray? A Yes sir.
Q How near them did you live? A About a mile and three-quarters.
Q I reckon.
Q Do you remember when you came up here to live on your land? A Yes sir, I remember killing, but what time it was, I can't remember.
Q Do you remember coming up here? A Yes sir.
Q Was Sampson McGilbray living or dead? A I believe he was dead.
Q Do you know how long he had been dead when you came to live? A No sir, I don't.
Q Do you know Jane Wade? A Yes sir.
Q Is she related to you? A That's my daughter.

McGillivray... 44.

Q Were you on a visit or were you living there? A I lived about a quarter of a mile from there.
Q Were you there when he died? A Yes.
Q Were you there when he was buried? A Yes, sir.
Q Do you remember the opening of the Land Office? A Yes, sir.
Q Where were you living then? A Right at father's where I am now.
Q Do you remember of hearing the citizens out there talking about the Land Office opening, and that they were coming in here? A No, I do not remember when they came in.
Q But you remember that they came in along towards the first day of June? A No.
Q Do you know Pato Bruner? A Yes.
Q Do you remember hearing about his coming in? A No answer.
Q Guash McGillivray said that Pato Bruner was one of the first to come in when the Land Office opened; he is a big man out there and may think that he would be likely to hear about-- he is Town King. Now I am trying to help you remember the date as you have not got the date down in your bible, I suppose----I do not care to have you tell me the exact day and the month, but I am trying to get you to remember the circumstances----do you remember of Pato Bruner coming in the first day? A I remember about hearing of the opening of the Land Office.
Q Did Sampson McGillivray die before that or after? A Before that.
Q Are you sure of that? A Yes, sir.
Q Are you sure that he died in the Fall? A Yes, sir.

EXAMINATION BY MR. O'HARE:
Q You live a quarter of a mile you say from them? A Yes.
Q And you were at the funeral? A Yes.
Q And you are his first cousin? A Yes.
Q Did your father keep in that family bible the names of all the close relation and the dates that they died? A Yes.
Q And when any of the close relation died he would have some of you put it down in that bible? A Yes.
Q And you remember seeing the date of Sampson's death in there? A Yes.
Q Is that bible at your father's house now? A Yes, at my father's.
Q You can get that without any trouble? A Yes.

BY COMMISSION:
Witness is advised that the father of Sampson McGillivray, who is present, and Attorney for applicant, that the Commission desires the bible which contains the record of the death of Sampson McGillivray; for this purpose thirty days is allowed.
Also, Guash McGillivray, father of child, and Attorney for applicant is again advised, as he was on a former occasion, that the Commission desires to have Polly Corbett, mother of Sampson McGillivray, appear before the Commission as soon as possible.

Test taken before me on oath sworn on her oath states that she stenographer to the Commission to the Five Civilized Tribes and reported the above and that this is a full, true and correct transcript of her stenographic notes in same.

[Signature]
Notary Public

Subscribed and sworn to before me this day of April, 1908.

Q. What is your whole idea? A. Yes, sir.
 I did not ask you what relation they were to you, but what
 relation was there to one another? A. Dolly is his wife.
 Then Dolly McGillivray is your wife? A. Yes, sir.
 Did they ever have any children? A. Yes, sir.
 Name them? A. Joe and Sampson.
 Are those children living? A. No.
 Aren't either of them living? A. No, both are dead.
 When did Sampson die? A. He died in October.
 In October? A. Yes.
 Are you sure of that? A. Yes.
 What day in October did he die? A. 27th.
 And what year? A. 1899.
 How do you remember that? A. Because we always keep the dates
 at home; I put it down.
 Where are the dates kept? A. In a book.
 What kind of a book? A. Just a book that we kept at home.
 Have you got that book there now? A. No.
 Do you know of the existence of a book which contains the date
 of the death of Sampson McGillivray? A. No, it was just a bible
 that we kept at home.
 Is there such a book at home now? A. Yes, at my father's house.
 You say that book is at your father's house now? A. Yes.
 He was not your child or your father's child now did you come
 to put down the date of his death? A. When they died in our
 neighborhood we always put it down.
 You do not mean that when anyone in the neighborhood died you
 always put down the date of their death? A. No, we just put
 down the relation.
 What relation is Sampson McGillivray to your father? A. His nephew.
 Who wrote that in the bible? A. Just any of us children put
 it down.
 Don't you remember the particular person who wrote down the date
 of Sampson's death? A. No.
 Do you mean to say that you would not know by looking where
 handwriting--which particular one in your family wrote that in
 the bible? A. I know the handwriting all right--I know it is
 there.
 Do you remember of seeing that in the bible? A. I know it.
 While ago I asked you how you remembered the date of Sampson's
 death and you said you put it down, then you said that they put
 it down--now I want to know what you meant by that--who put
 that date down? A. It is on the book all right--I did not write
 it--some of my sisters did, but it is there all right for I saw
 it there and I know it.
 What did you see? A. Just the date that he died.
 What does it say--give me the words? A. Sampson McGillivray
 died October 27, 1899.
 Is that all it says? A. Yes, sir.
 Are you positive of that? A. Yes, sir.
 So, when we get the book you will not turn round and say you
 are mistaken? A. No, I know it.
 What was that written with, pen or pencil? A. Pencil.
 What color was the pencil? A. Black.
 Who wrote that in the bible? A. Some of the girls wrote it in
 there.
 Do you know who wrote that in the bible? A. My sister.
 What is her name? A. I do not know, but my father said to put
 it down and one of the girls wrote it in there all right.
 What is written above or below that line about Sampson McGillivray
 in that book? A. Nothing.
 Do you know whether there is anything else said about Sampson in
 that book? A. No.
 Does it not say when he was born? A. No.
 Did you live anywhere near Sampson when he died? A. I was right

McGillivray... 42.

Q Do you remember what kind of weather it was when Sampson died? A He died in the Fall.
Q In the Fall was it? A Yes.
Q Was that the Fall before the Land Office opened? A It had not opened.
Q Are you positive of that? A Yes.
Q Did you come down to the opening of the land office? A No, I did not come.
Q Did any of your family or friends come down here? A Yes, they come down here.
Q The records of the Commission show, uncle, that there was a citizen certificate issued to you in March, 1900, that is the March after the Land Office opened? A Yes.
Q Did Sampson die two Falls before that? A He died in the Fall as near as I can remember.
Q You did not come in yourself when the Land Office first opened up did you? A No, sir.
Q Did any of the big people in your neighborhood come? A Yes, they all come.
Q Can you give me the name of any big man that came down? A Pato Brunner.
Q Did he tell you when he came back? A No, he did not say anything.
Q Didn't some one tell you about such a big thing as the Land Office opening? A Yes, a lot told me about it.
Q Is that how you remember? A Yes.
Q Are you sure that your child, Sampson McGillivray, died before that time? A When Pato Brunner and the rest came down here? Yes, A Yes, he died before that.
Q Are you sure that he died in the Fall? A As far as I can remember.
Q Do you remember the month that he died? A No.
Q Do you know when Thanksgiving Day comes? A Yes, but I do not know the date.
Q But you remember the time in the year that it comes? A Yes.
Q Did Sampson die before that? A I do not remember that now.
Q Did he die before Summer or after Summer? A In the Fall.
Q Did he die in the Fall before the Land Office opened? A Yes.
Q Are you sure of that? A Yes.
Q While ago you said that he died after the Land Office opened? A Yes.
Q Well, why did you say that---were you mistaken? A Yes, I guess so---I cannot tell the date.
Q I do not ask you to remember the date---but you recollect that big thing---of all the citizens coming in here to the opening of the Greek Land Office---now what time of the year was that---was it Summer, Winter, Fall or what? A I do not know, sir.
Q But, to the best of your recollection, fixing the date by the opening of the Land Office did your child, Sampson McGillivray, die in the Fall before the Land Office opened---is that correct? A Yes, that is correct.

EXAMINATION BY MR. O'HARE:

Q Do you remember whether your boy died before you came down, yourself, at that time? A He died before I came down.
Q Do you remember whether it was cool weather when he died or not? A Just in the Fall.

JAMES WAYNE, being duly sworn, testified as follows:

BY COMMISSIONER:

Q What is your name? A James Wayne.
Q How old are you? A Twenty-nine.
Q What is your present address? A Pato, I. T.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q Do you know James and Daisy McGillivray? A Yes, sir.
Q What relation are they to one another? A That is my wife.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, INDIAN TERRITORY, MARCH 31, 1908.

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In the matter of the application for the enrollment of Sampson McGilbray as a Creek Freedman. (ADDITIONAL TESTIMONY).

APPEARANCES: HART & O'HARE, Attorneys for applicant.

QUASH MCGILBRAY, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION.

Q What is your name? A Quash McGilbray.
Q How old are you? A Seventy years.
Q What is your postoffice address? A Payo, I. T.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q Have you a child named Sampson McGilbray? A Yes, sir.
Q What is the name of its mother? A Dolly Gortray.
Q Is she a citizen of the Creek Nation? A Yes, she is a citizen too.
Q Is she living? A Yes.
Q Where does she live? A She lives on Gain Creek, sometimes around Okmulgee.
Q Her postoffice address was given as Boynton, is that right? A I don't know.
Q You do not live with her? A No, sir.
Q Who is Joe McGilbray, do you know? A Yes, that is my son.
Q Is Sampson McGilbray living? A No, he is dead.
Q Were you with him when he died? A Yes, and I buried him.
Q When did you bury him, or when did he die? A I cannot tell the month exactly.
Q What year did he die? A I do not know.
Q Don't you know how many years ago it was that he died? A It has slipped my memory how many years ago it was he died.
Q Do you remember the circumstances of the Creek Land Office opening in Muskogee? A Yes.
Q Do you remember whether your boy, Sampson McGilbray, was living then or not? A When it was opened?
Q Yes? A When they was setting those rocks he was living.
Q That is not what I asked--I did not ask you about the surveying parties, but I want to know if you remember about the opening of the Land Office here in Muskogee and, if so, was your child, Sampson McGilbray, living or dead at that time? A I do not know how long that was.
Q I am not asking you how long ago that was---but was that boy living then? A Yes, he was living.
Q How long after the opening of the Land Office did he die? A I cannot remember that.
Q Did he die the same year in which the Land Office opened, or the year after or the year before, which? A He died before the Land Office opened.
Q Are you positive of that? A Yes.
Q How long before the Land Office opened did he die? A I do not know.

R. James--2.

to the Five Civilized Tribes, on oath state that the above and foregoing is a full, true and correct transcript of my stenographic notes as taken in said name.

James B. James

Subscribed and sworn to before me this twenty-fifth day of January, 1908.

James B. James
Notary Public.

I, Vera Ellen Parham, an stenographer for the Commission

-----0:-----

The witness is advised that the Commission desires further evidence, and particularly the testimony of the father and mother of this man.

Q The old man was in here to see about filling; they could not find see about it, do you know why nothing was done before this time? A If this man is entitled to enrollment, and you say you came in to I do not know anything about it.

Q Do you know whether Sampson McGilbray drew money then or not? A payment a while back.

Q Do you know anything about the Tribal Rolls of the Creek Nation, or about the drawing of money? A I know they had a fourteen dollar Office opened or the year before the Land Office opened that he died in October.

Q I ask you again, was it in October of the year the Creek Land month Sampson McGilbray died in? A Yes, sir. I am positive he Q You are positive of the year but you are not positive of the No, sir.

Q And you say you are not positive about the year he died in? A Q What is his post office address? A Pato, Indian Territory.

Q Is Quash McGilbray living? A Yes, sir.

Q That remembers that date or not.

Sampson McGilbray, died? A I do not know whether there is anybody September you put up the hen house and shortly afterwards this man, building, and could be as positive as you are that it was in Q Is there any one around there that remembers that, or the I was building.

Q What became of him? A I do not know. It was just a hen house Q Does that boy live near you now? A No, sir.

Q What boy? A A boy living near me.

Q Where did you buy them, do you know? A A Boy bought them.

Q Did you pay for those nails? A Yes, sir.

Q Did you buy anything? A Yes, sir. I bought some nails.

Q Where did you buy the lumber to put up this building? A I did not buy any; I built it of logs.

Q That is the only building you made out there? A Yes, sir.

Q He took sick and died.

Q Were you putting up that building about the time he died? A I put up the building in September and along a week or two afterwards was a building that I put up and that was what I was going by.

Q Are you positive that Sampson McGilbray died in the same year in which the Land Office opened? A According to how I know there Greek Land Office opened? A No, sir.

Q You are not positive that Sampson McGilbray was living when the positive.

Q To my judgment Sampson McGilbray was living, but I am not it? A

Q Did this man, Sampson McGilbray, die before that event or after do you remember that event? A Yes, sir.

Q I did not ask you to tell me what day, or month, or year, but that event? A No, sir, I do not know when the Land Office opened.

Q Do you remember hearing of it, or have you any impression of Q Do you know when the Land Office opened? A No, sir.

Q How many years ago? A Must be something over five years.

R. James--2.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskegee, Indian Territory.
January 25, 1905.

In the matter of the application for the enrollment of Sampson
McGillivray as a Creek Freedman.

ROBERT JAMES, being duly sworn, testified:

Q My Commission:
Q What is your name? A Robert James.
Q How old are you? A I do not know exactly but I am a little
over thirty.
Q What is your post office address? A Holdenville, Indian Territory.
Q Are you a citizen of the Creek Nation? A I am a Seminole.
Q Are you enrolled as a Seminole Freedman? A Yes, sir.
Q What do you want to do now? A I want to find out if Sampson
McGillivray is enrolled.
Q Do you know Sampson McGillivray? A I know him well.
Q What is the name of Sampson McGillivray's father? A Quash McGillivray.
Q Was Quash McGillivray a citizen of the Creek Nation? A Yes, sir.
Q Do you know what his father's name was? A No, sir.
Q Do you know what his mother's name was? A No, sir.
Q About how old a man is Quash? A I can not tell exactly, but
something over sixty, I suppose.
Q Do you know what Creek Indian Town he belongs to? A Canadian,
if I make no mistake.

The records of the Commission examined and Quash McGillivray
is listed on Creek Freedman Card, File Number 28, and his name
appears in the partial list of Creek Freedmen, approved by
the Secretary of the Interior March 13, 1902, Roll Number 124.

Q What is the name of Sampson McGillivray's mother? A Dollie.
Q Is she living? A Yes, sir.
Q Where does she live? A Her post office address is Boynton,
Indian Territory.
Q Is she a citizen of the Creek Nation? A Yes, sir.
Q Did she get her land? A Yes, sir. She said she got it; I do
not know anything only what she said.
Q Do you know whether she was on the Dunn Roll or not? A No, sir,
I do not know.
Q Is Sampson McGillivray living? A No, sir, he is dead.
Q Did you live near him when he died? A Yes, sir.
Q How near? A About three miles.
Q Were you present when he died? A Yes, sir.
Q Are you any relation? A Yes, sir.
Q What relation? A I do not know.
Q State as near as you can. A I might make a mistake.
Q Very far relation, if any? A I can not answer.
Q You say you are some relation, how do you know that? My father
was related.
Q What relation was your father to Quash? A They tell me my
father is related, that is all I know about it.
Q When did Sampson McGillivray die? A To my remembrance it was in
1899.

CR EN 893

CR EN 893

RESIDENCE:

POST-OFFICE:

Wahkiakum County, WA

Nation.

Roll.

CARD NO.

FIELD NO.

3482

Roll No.

NAME

Relation
ship to
person
first
named

AGE SEX BLOOD

Year

No.

Name of Father

Year

Name of Mother

Year

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

Wahkiakum County, WA

1890 Wahkiakum County, WA

Wahkiakum County, WA

Wahkiakum County, WA

Wahkiakum County, WA

Wahkiakum County, WA

Wahkiakum

April 20, 1901

Dr. No. 892.

Muskogee, Indian Territory, March 15, 1907.

William Brown,

Osage, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior

under date of March 2, 1907, affirmed the decision of the

Commissioner to the Five Civilized Tribes, denying the applica-

tion for the enrollment of your cousin, Frank Brown, as a

citizen of the Creek Nation.

Respectfully,

Commissioner.

LM

DEPARTMENT OF THE INTERIOR
WASHINGTON

THE

THE

March 4, 1907.

I.T.D.
6122, 6120, 6080, 7000, 7222-27.
7222, 7412, 7422, 7500-
7500, 7522, 7526, 7528, 7542-
7542

SIR:

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

SIR:

Your decision in the following Creek enrollment cases

adverse to the applicants are hereby affirmed, viz:

| Title of case. | Date of your letter of transmittal. |
|--|-------------------------------------|
| Barth Ann Turner and Dugan Root, deceased, | February 12, 1907 |
| G. D. Turner, et al., (Trustee), | February 12, 1907 |
| Havard Inghy (Trustee), | February 12, 1907 |
| Simon Harte, et al., | February 12, 1907 |
| Wanda Davis, (Trustee), | February 12, 1907 |
| Hartford, | February 12, 1907 |
| Frank Brown, | February 12, 1907 |
| Georgie Sandridge, deceased, (Trustee), | February 12, 1907 |
| John Shelby Johnson, | February 12, 1907 |
| Wanda Gilbert et al., (Trustee), | February 12, 1907 |
| Wanda Brown, (Trustee), | February 12, 1907 |
| Wanda Brown, | February 12, 1907 |
| Wanda Brown, et al., | February 12, 1907 |
| Wanda Brown, deceased, (Trustee), | February 12, 1907 |
| Wanda Brown et al., | January 12, 1907 |

Copies of Indian Office letters submitting your reports and
recommending that the said cases be approved, are inclosed.
A copy heretofore and the papers in the above mentioned
cases have been sent to the Indian Office.

Respectfully,

James H. Wilson,

Assistant Secretary.

12 inc. and 22 to Ind. O.
with copy heretofore. W.H. 2/2/07.

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS.
WASHINGTON.

March 1, 1907.

Land
11768-1907.

The Honorable,

The Secretary of the Interior,

Sir:

There is enclosed a report from the Commissioner Bixby dated February 5, 1907, transmitting the record relative to the application for enrollment of Frank Brown, as a citizen by blood of the Creek Nation. On June 31, 1907, the Commissioner held that the applicant was not entitled to enrollment. The decision of the Commissioner has been examined and found to be correct and its approval is recommended.

Very respectfully,

C. F. Larabee,

Acting Commissioner.

J. P. B.-N. L.

CP. No. 202.

Muskogee, Indian Territory, February 2, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings

in the matter of the application for the enrollment of Frank

Brown, as a citizen by blood of the Creek Nation, including the

decision of the Commissioner, denying said application.

Respectfully,

Commissioner.

IM-102.

Through the Commissioner
of Indian Affairs.

Cr. 10.882.

Muskogee, Indian Territory, February 2, 1907.

M. L. Hoyt,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Frank Brown, as a citizen by blood of the Creek Nation.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

IM-101.

Cr. No. 882.

Muskogee, Indian Territory, February 2, 1907.

William Brown,

Haskell, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of your cousin, Frank Brown, as a citizen by blood of the Creek Nation.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

Register.
IM-100.

L.K.P.

Cr. No. 882.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
Frank Brown as a citizen by blood of the Creek Nation.

DECISION.

The record in this case shows that in the year 1888 Frank Brown was listed upon old Creek Census Card number 214, which listing is considered as an original application for the enrollment of said Frank Brown as a citizen by blood of the Creek Nation. Further proceedings in the matter of said application were had on January 11, 1908.

The evidence in this case in the possession of this office shows that the said Frank Brown is about 29 years of age, and is identified upon the authenticated 1890 tribal roll of the Creek Nation, Broken Arrow Town, page 220, and upon the 1892 day roll of the same town opposite number 219.

The evidence further shows that about the year 1883 Frank Brown left the Indian Territory with his father, who is a non-citizen, and has since resided in the state of Pennsylvania, never having returned to the Indian Territory. On September 26, 1908, the Commissioner to the Five Civilized Tribes addressed a letter to Frank Brown calling his attention to the provisions in the Act of Congress approved March 1, 1901 (31 Stat., 861), which provides as follows:

"Said Commission shall have authority to enroll as Greek citizens certain full-blood Greek Indians now residing in the Cherokee Nation . . . and such other recognized citizens found on the Creek roll as might, by reason of non-residence, be excluded from enrollment by section twenty-one of the act of Congress approved June 28, 1898: PROVIDED, That such non-residents shall in good faith remove to the Creek Nation before said Commission shall complete the roll of Greek citizens as aforesaid."

Said applicant was, therefore, requested to advise this office at an early date whether he intended to comply with the provisions of this act of Congress. No answer has been received and it does not appear that said Frank Brown has ever returned to the Indian Territory.

It is, therefore, ordered and adjudged that there is no authority of law for the enrollment of Frank Brown as a citizen by blood of the Creek Nation, and the application for his enrollment as such is, accordingly, denied.

Commissioner.

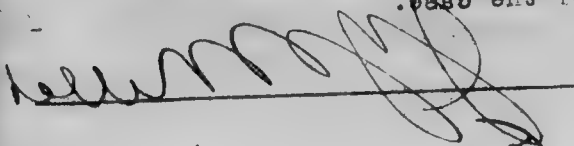
Waxahatchee, Indian Territory.

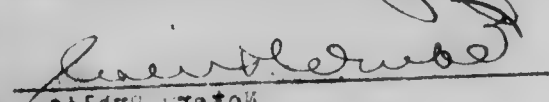
JAN 21

Frank Brown-----S.

Q Do you know Frank Brown? A Yes sir.
Q Is he any kin to you? A Yes sir.
Q What relation? A Nephew.
Q Your sister's son? A My brother's son.
Q What is the name of that brother? A William M. Brown.
Q Where is he? A He lives in Littleburg, Pa.
Q Do you know his street number? A 57 California Street, Littleburg.
Q Let your brother a citizen of the Greek Nation? A No sir.
Q What is the name of the mother of Frank Brown? A Maiden name was Louisa Bemo.
Q Is she living? A No sir.
Q To what town in the Greek Nation did she belong? A To Broken Arrow Town.
Q Did Frank Brown belong to that town? A I guess he did.
Q Did he draw any money from the Greek Nation? A Yes sir.
Q What money did he draw? A It was the \$25 payment. I drew the money for him--Judge Moore made the payment--and sent it to him.
Q Where? A Littleburg.
Q How long had he then been out of the Greek Nation when you sent him that money? A About seven years he had been gone; payment was made about fourteen years ago.
Q Has he ever been back here since about 22 years ago? A No, sir, has never returned.
Q Do you know anything about his intention to return to the Greek Nation? A Nothing but what his sister said; that if he could get his allotment, he would come back and live on it.

I, J. Y. Miller, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify upon oath that the above and foregoing is a true and complete transcript of my notes as same appear in my stenographic report of the case.





Notary Public.

Subscribed and sworn to
before me this 2nd
day of January, 1905.

Greek I-3492.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

Muskogee, Indian Territory, January 11, 1903.

In the matter of the enrollment of Frank Brown as a citizen
of the Creek Nation.

William Brown, being duly sworn, testified as follows:

Examination by the Commission.

Q What is your name? A William Brown.
Q How old are you? A 33, nearly 34.
Q What is your postoffice address? A Haskell.
Q Do you know Frank Brown? A Yes sir.
Q Is he any kin to you? A Yes sir.
Q What is the name of his father? A Willie Brown.
Q Was he a citizen of the Creek Nation? A No sir.
Q What is the name of his mother? A Lona Bemo before she was
married.
Q Is she living? A No sir.
Q Is his father living? A Yes sir.
Q Where does he live? A In Pennsylvania.
Q Was Lona a citizen of the Creek Nation? A Yes sir.
Q What town did she belong to? A I don't remember.
Q Was Frank Brown a citizen of the Creek Nation? A Yes sir.
Q Did he ever draw money from the Creek Nation? A I don't think
he ever did.
Q How old is Frank Brown? A I don't know exactly. I think
about 27 or 28 now.
Q How much Creek blood do you think he has? A One-half.

Frank Brown is listed on Creek Card 3492. The trip-
li of the Creek Nation examined and Frank Brown is
identified on the 1890 Roll, Broken Arrow Town, page 220;
1893 Creek Nation examined and Frank Brown found thereon
No. 219

Q Is Frank Brown living? A Yes sir.
Q What is his postoffice now? A I don't know.
Q Where is he living now? A In Pennsylvania, with his father.
Q What place? A I don't know that.

W. S. Brown, being duly sworn, testified as follows:

Examination by the Commission.

Q What is your name? A W. S. Brown.
Q How old are you? A 41 years old.
Q What is your postoffice address? A Muskogee.

CR EN 895

CR EN 895

1901

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

| |
|-------------------------|
| REPLY TO THE FOLLOWING: |
| CT. M. 891. |
| |
| |

Muskogee, Indian Territory, November 18, 1906.

Rosie Robertson,

Baldhill, Indian Territory.

Dear Madam:

You are hereby advised that the Department under date of October 26, 1906, affirmed the decision of the Commissioner to the Five Civilized Tribes, denying the application for the enrollment of Rena Willis, deceased, as a Creek Freedman.

Respectfully,


Commissioner.

Dr. M. 881.

Muskogee, Indian Territory, November 14, 1906.

M. L. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Department under date of October 26, 1906, affirmed the decision of the Commissioner to the Five Civilized Tribes, denying the application for the enrollment of Rena Willis, deceased, as a Creek Freedman.

Respectfully,

Commissioner.

-2-

Therefore in view of this fact and also in view of Sec. 28 of the act of March 1, 1901 (31 Stat., 861), providing that enrollment be limited to children of parents, who were entitled to enrollment as citizens of the Creek Nation, and also providing that such children must be born previous to and be living on the first day of July, 1900, the approval of the decision of the Commissioner is recommended.

Very respectfully,

C. F. Larabee,

Acting Commissioner.

HRD-BHG

The testimony of Rosa Robertson, the mother of Rena Willis, deceased, shows that she and Willis Willis, the father of this child, lived together one year and separated in December, 1898. She fixed the date by the fact that it was in the same year the land Office opened, which was either in 1899 or 1900, but she could not remember the exact date. She testified that the child died the 12th day of June in the same year. Her testimony further shows that there was a record in the family Bible of the birth and death but she did not produce the same, though given an ample opportunity to do so.

The testimony of Angeline Lewis, the grandmother of Rena Willis, deceased, is to the effect that the child was born in April but she gave no definite evidence as to the year. She said however, that the child was a month old when it died and she believed that it died in May.

The only evidence corroborative of the dates mentioned in the birth and death affidavits is in the testimony of J. J. Jefferson, The correctness of these dates is further attempted to be established by what purports to be a record in pencil on a slip of paper, the same being made a part of the record in this case. The testimony as to the dates of the birth and death is contradictory. A preponderance of the evidence, however, shows that Rena Willis, deceased, was not living on July 1, 1900.

Refer in reply to the following:
Land: 23944-1906.
C O P Y

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, October 23, 1906.

The Honorable,
The Secretary of the Interior.

Sir:

There is enclosed herewith a report from the Commissioner to the Five Civilized Tribes, dated March 13, 1906, transmitting the record relative to the application of Rena Willis, deceased, for enrollment as a Creek Freedman.

On June 18, 1902, affidavits were filed in the office of the Commission at Muskogee, Indian Territory, relative to the birth and death of Rena Willis, and these affidavits are considered as an original application for her enrollment as a Creek Freedman. Further proceedings were had in reference to this application on June 6, 1905, December 18, 1905, and December 19, 1905.

On March 12, 1906, the Commissioner decided that there was no authority of law for the enrollment of the above named applicant and the application was accordingly denied.

The record in the case shows that Rena Willis, deceased, was the illegitimate minor child of Rosa Robertson and Willis Willis, a non-citizen, and the name of Rosa Robertson is identified after No. 1229, on a partial list of Creek Freedmen, approved by the Department of the Interior on March 13, 1902. The affidavits above referred to show that Rena Willis, deceased, was born April 16, 1900, and died July 10, 1906.

I enc. and 2 to Ind. Of.
of Indian Affairs.
Through the Commissioner

Secretary.

E.A. Hitchcock,

Respectfully,

Office for its files.

The papers in the case have been sent to the Indian

decision is hereby affirmed.

The Department concurs in said recommendation, and your

letter is inclosed.

Office recommended that your decision be approved. A copy of its
Reporting October 23, 1906 (Land 33944), the Indian

sion of March 12, 1906, adverse to the applicant.

Rena Willis, deceased, as a Creek Freedman, including your deci-

record in the matter of the application for the enrollment of

March 12, 1906, the Acting Commissioner transmitted the

Sir:

Muskogee, Indian Territory.

Commissioner to the Five Civilized Tribes,

WASHINGTON, October 26, 1906.

DEPARTMENT OF THE INTERIOR,

LHB 7P.LRS.

I.T.D. 21208-1906.

En. 891.

Managers. Indian Territory. March 13, 1906.

M. L. Mott,

Attorney for Greek Nation,

Managers, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Anna Willis, deceased, as a Greek Freedman.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Wm. O. Ball.

Respectfully,

Acting Commissioner.

2-4

No. 891

Washington, Indian Territory, March 12, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Rene Willis, deceased, as a Creek Freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated March 12, 1906.

Respectfully,

Through the Commissioner
of Indian Affairs.

Acting Commissioner.

X-4

444

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

| |
|---------------------------------|
| REPLY IN REPLY TO THE FOLLOWING |
| No. 891. |

Manxogee, Indian Territory. March 13, 1906.

Rosie Robertson,
Baldhill, Indian Territory.
Dear Madam:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of your child, Rena Willis, deceased, as a Creek Freedman, denying said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Acting Commissioner.

-:3:-

It is, therefore, ordered and adjudged that there is no authority of law for the enrollment of said Rena Willis, deceased, as a Creek Freedman and the application for her enrollment as such is accordingly denied.



Commissioner.

Muskogee, Indian Territory,

MAR 12 1906

COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

-:0:-

In the matter of the application for the enrollment of Rena
Willis, deceased, as a Greek Freedman.

D E C I S I O N
.....

The record in this case shows that on June 18, 1902, there were
filed in the office of the Commissioner to the Five Civilized Tribes,
in Muskogee, Indian Territory, affidavits in the matter of the birth
and death of Rena Willis, and such affidavits are considered as an
original application for her enrollment as a Greek Freedman. Further
proceedings were had on January 6, 1905, December 18, 1905, and Dec-
ember 19, 1905.

The evidence shows that said Rena Willis, deceased, was the ille-
gitimate minor child of Rosa Robertson and Wallace Willis, a non-
citizen, and from an examination of the records of this office it
appears that the name of Rosa Robertson is contained in a partial
list of Greek Freedmen approved by the Secretary of the Interior
March 13, 1902, opposite number 1229.

The affidavits above referred to show that said Rena Willis,
deceased, was born April 16, 1900, and died July 10, 1900.
From the testimony of Rosa Robertson, the mother of Rena Willis,
deceased, it appears that she and Wallace Willis, the father of said
child, lived together one year; that they separated in December 1898;
that the child was born April 13 or 17, as near as she can remember,
the same year the land office opened, in 1899 or 1900, but she cannot
remember the exact date; and that the child died the twelfth of June
of the same year. The further states there is a bible record of the
birth and death but, though ample opportunity was given to produce
such record evidence, same has not been produced up to the date of
the last proceedings herein.

The testimony of Angeline Lewis, grandmother of Rena Willis,
deceased, is to the effect that said child was born in April and she
cannot state definitely as to the year but that the child was a month
old when it died and she thinks it died in May. The only evidence
corroborative of the dates mentioned in the birth and death affida-
vits is the testimony of J. J. Jefferson. The correctness of said
dates is further attempted to be established by what purports to be
a record, written in pencil, on a slip of paper, the same being made
part of the record in this case.

The testimony as to the dates of birth and death is contradic-
tory, and a preponderance of the evidence shows that said Rena Willis,
deceased, was not living on July 1, 1900.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES
Bald Hill, Indian Territory, December 19, 1908.

En. 891.

In the matter of the application for the enrollment of
Rena Willis, deceased, as a Greek freedman.

J. J. Jefferson, being duly sworn, testified as follows:

Q What is your name? A J. J. Jefferson.
Q What is your age? A I ought to be about forty two according to
the records of the Commission.
Q What is your post office address? A Boynton
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what Greek Indian town do you belong? A Canadian colored.
Q Do you know Rena Robertson? A Yes, sir.
Q Is she a relation of yours? A Yes, sir, she is my first cousin's

daughter.
Q Do you know a child of hers named Rena Willis? A Yes, sir.
Q Do you know when the child was born? A Yes, sir.
Q When? A April 1900.
Q Can you give the exact date of her birth? A April 18, 1900.
Q Do you know when the child died? A Yes, sir, in July.
Q In the same year it was born? A Yes, sir.
Q What time in July? A July 10.
Q Have you a record of the child's birth and death? A Yes, sir.

The witness presents a piece of paper on which appears
the following writing: "Rena child born April 18 1900
Died July 10, 1900." The piece of paper presented by the
witness is made a part of the record herein.

Q Does this refer to the birth and death of Rena Willis child of
Rena Robertson? A Yes, sir.
Q When did you make it? A I made it in April and July 1900.
Q Did you make the record of the child's birth on the day it was
born? A Yes, sir.
Q Did you make the record of its death on the day it died? A Yes, sir.
A Yes, sir, I do that in all my family because if you let one day
slip you may never get it right.
Q You made both entries on this same piece of paper did you? A
Yes, sir on the same piece of paper.
Q What reason did you have for making this record? A Why its natural
I make it because if I am called on by some of my family I can
always show the date.
Q Are you in the habit of keeping a record of the births and deaths
of members of your family? A Yes, sir.
Q Who was the father of Rena Willis? A Well I am not able to tell.
He was an American man. I wasn't acquainted with him.
Q Was he the lawful husband of Rena Robertson? A No, sir, not to
my knowing.
Q He was a non citizen was he? A Yes, sir as far as I learned of him
I don't remember of ever seeing him or knowing him.
Q Where is Rena Robertson now? A I am not able to tell. The
last time I heard of her she went south. I don't know where she is.

I, Alex Poney, on oath state that the above and foregoing is a
true and correct transcript of my notes as taken in said case on
said date.

Subscribed and sworn to before me this 2 day of January 1909.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE WIFE CIVILIZED TRIBES.
Bald Hill, Indian Territory, December 18, 1905.

En. 891.

In the matter of the application for the enrollment of
Rena Willis, deceased, as a Creek freedman.

Angelina Lewis, being duly sworn, testified as follows:

Q What is your name? A Angelina Lewis.
Q What is your age? A Between 51 and 52.
Q What is your post office address? A Lee, I.T.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what Creek Indian town do you belong? A Canadian colored.
Q Do you know Rosale Robertson? A Yes, sir.
Q What relation is she to you? A She is a child of mine. My daughter.
Q Do you know a child of hers named Rena Willis? A That's what she called it. I don't know for certain who the father of the child was but she said Wallace Willis.
Q Do you know when Rena was born? A She was born in April but what time I don't know. I forget.
Q In what year was she born? A I forget that.
Q When did the child die? A It was a month old when it died I think but I am not certain. The mother was able to be up and out at work when the child died. I think it died in May.
Q Did you attend on Rosale Robertson when the child was born? No, sir.
Q Mrs. Jefferson did. I visited her but did not attend on her.
Q Did you make a record of the child's birth? A No, sir, Rosale asked me to but I didn't.
Q Was there any record made when the child was born? A Yes, sir, by J. J. Jefferson.
Q How long has it been since the child died? A I don't know, only guess at it. It died the same year it was born.
Q Do you remember when the Creek land office opened? A Yes, sir, I remember about people going to file.
Q Was Rena Willis living at that time? A I don't know, but it was dead when I filed.
Q How long had it been dead when you filed? A That I don't know but I filed in July.
Q Did you file in the same year that Rena Willis was born and died? A As far as my knowledge runs it was in the same year.

I, Alex Posey on oath state that the above and foregoing is a true and correct transcript of my notes as taken in said case on said date.

Subscribed and sworn to before me this 2 day of January 1906.

Notary Public.

Re: Williams-2

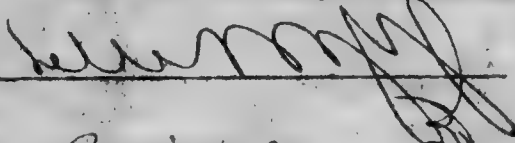
Q About April 13 or 14 and died on June 12 of the same year it was born? A Yes sir.
Q You think it was the same year that the land office was opened? A Yes sir.
Q Is that record written in the Bible with a pen or a pencil? A Pen.
Q Who wrote it? A My mother.
Q What is your mother's name? A Angelina Lewis.
Q Is she living? A Living near Lee.
Q Did you have a midwife in attendance when that child was born? A Yes sir.
Q What is her name? A Alice Jefferson.
Q Where does she live? A At Lee.
Q Did you have a doctor when this child died? A No sir.
Q Did you have a funeral? A Yes sir.
Q Was Alice Jefferson there at the funeral? A Yes sir.
Q How old was this child when it died? A Three months old.

The witness is advised that the Commission requires her to produce the Bible record referred to herein, and also to have the midwife, Alice Jefferson, and her mother, Angelina Lewis, appear before the Commission and give testimony in this case. The witness is advised to bring the Bible her self.

The affidavits above referred to are made a part of the record herein.

It appears from the records of the Commission that Rosey Robertson is listed for enrollment as a Greek Freedman on card 323, and her name is contained in a partial list of Greek Freedmen approved by the Secretary of the Interior March 13, 1902, No. 1229.

I, J. Y. Miller, a stenographer to the Commission to the Five Civilized Tribes, do hereby certify upon oath that the above and foregoing is a true and complete transcript of the notes of my stenographic report of the case.


Notary Public.

Subscribed and sworn to
before me this 23rd
day of January, 1905.

197 #

Greek RA-180.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Manassas, Indian Territory, January 6, 1905.

In the matter of the application for the enrollment of Rena
Willis as a Greek Freedman.

Rosie Robertson, being duly sworn, testified as follows:

Examination by the Commission.

Q What is your name? A Rosie Robertson.

Q How old are you? A 23.

Q What is your position? A Boynton.

Q Are you a citizen of the Creek Nation? A Yes sir.

(There were filed with the Commission on June 18, 1902,
affidavits executed by Rosie Robertson relative to the
birth and death of Rena Willis. Said affidavits are con-
sidered as an application for the enrollment of said
child.)

Q Have you a child named Rena Willis? A Yes sir.
Q What is the name of the father of the child? A Wallace
Willis.

Q Are you married to Wallace? A No sir.
Q Did you live together--he and you--as man and wife? A Not
exactly.

Q How long did you live with him--the father of this child? A
year.

Q What year was that? A We separated in the year 1898.
Q Was the child born while you were living together? A No, she
was born afterwards.

Q How long afterwards? A We separated in December, 1898; the
child was born in 1900. If I am not mistaken.

Q When was Rena Willis born? A She was born April 13 or 14. I
cannot commit to memory unless I have the record. It was April

13 or 14.
Q What year? A I can't tell you; my memory is short; as near
as I can remember the same year the land office was opened. It

was '99 or 1900. I can't remember.
Q About how many years ago was that? A She would have been
five years old.

Q Is the child living? A No sir. It died the 12th of June
of the same year.

Q Of the same year? A It was born in April and died in June.
Q You say you have a record of the birth of the child? A

Yes sir.
Q What kind of record is that? A Bible record.

Q Does the record also state when the child died? A It states
the birth and death of the child.

Q And you now think that it states that Rena Willis was born

CR EN 891

CR EN 891

Or 22 820

Manxooe, Indian Territory, September 30, 1905.

And Lowery.

Manxooe, Indian Territory.

Dear Sir:

You are advised that the name of your minor child, Lane Lowery, is contained in the partial list of Creek freedmen approved by the Secretary of the Interior September 21, 1905, and that application for a selection of land in the Creek Nation may now be made for said child at the Office of the Commissioner to the Five Civilized Tribes, in Manxooe, Indian Territory.

Respectfully,

OT IN 899

Manakooe, Indian Territory, June 18, 1906.

M. L. Nott,

Attorney for the Creek Nation.

Manakooe, Indian Territory.

Sir:

There is enclosed herewith one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of James Lowery as a Creek Freedman. You are hereby notified that the Creek Nation will be allowed fifteen days from date hereof within which to file protest against said decision, and if, at the expiration of that time, no protest has been filed, said James Lowery will be regularly listed for enrollment as a Creek Freedman.

Respectfully,

Chairman.

JUN-18-10

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
Jane Lowery as a Creek Freedman.

D E C I S I O N .

The record in this case shows that on December 28, 1901, the affidavit of Sarah Drew, relative to the birth of Jane Lowery, was filed with the Commission at Muskogee, Indian Territory, which said affidavit is considered by the Commission as an application for the enrollment of said Jane Lowery as a Creek Freedman. Further proceedings were had January 19, and April 4, 1902. The evidence shows that said Jane Lowery was born May 5, 1901, and that she was living at the date of the last proceedings herein.

The evidence further shows that said Jane Lowery is the minor child of Bud and Pinky Lowery, and that the names of said Bud and Pinky Lowery are contained in the partial list of Creek Freedmen approved by the Secretary of the Interior, March 13, 1902, Roll Nos. 2131 and 2132, respectively. It is, therefore, the opinion of the Commission that said Jane Lowery should be enrolled as a Creek Freedman, in accordance with the provisions of the act of Congress June 30, 1902, (32-Stats., 500), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

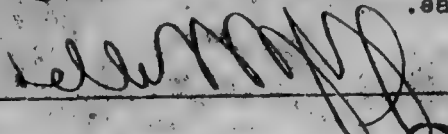
Chairman.

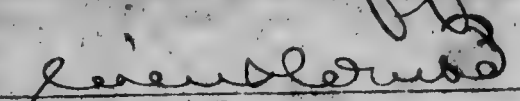
Commissioner.

Muskogee, Indian Territory,
JUN 14 1902

S.-----Jane Lowery

ilized Tribes, do hereby certify upon oath that the above and fore-
going is a true and complete translation of my notes as same appear
in my stenographic report of this case.





Notary Public.

Sworn to and subscribed
before me this the
2 day of April,
1908.

Lower as a great freedom.

:HOIGI.LTOC ANT YI HOITAMILAA

The child is present.

Sarah Ann grew, being sworn, testified as follows:

EXAMINATION BY THE COMMISSION:

THE COMMISSIONER to applicant): You are advised that the Commission desires to have the record you referred to brought in for its inspection.

INDIAN TERRITORY, Western District.

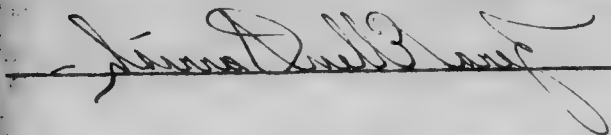
B. Lowery--2.

The applicant is advised that the Commission requires him to have his wife, Pinky Lowery, and the midwife, Sarah Drew, before the Commission for the purpose of being examined under oath.

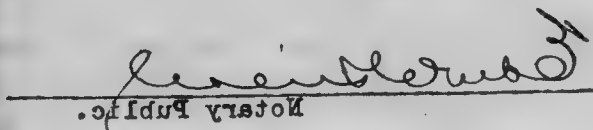
Q What was last year? A 1904.
Q Was Jane Lowery born that year? A No, sir. She could walk about.
Q What was year before 1904? A I don't know.
Q What was year before that one? A I don't know.
Q Was anybody else present when your child was born besides its mother and the midwife? A Yes, sir. Emily Richards, Doctor Richards's wife was there.
Q Is Emily Richards living? A Yes, sir.
Q What is her post office address? A Haskell, Indian Territory.
Q Did you buy any medicine about the time your child was born? A Yes, sir. I bought some oil but paid for it.
Q Where was Jane Lowery born? A She was born at her grandmother's, Sarah Drew.
Q Is that near where you now live? A Yes, sir.

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I, Nora Ellen Parrish, on oath state that the above and foregoing is a full, true and correct transcript of my stenographic notes as taken in said cause on said date.



Subscribed and sworn to before me this 21 day of January, 1905.


Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., January 19, 1905.

In the matter of the application for the enrollment of Lane Lowrey as a Creek Freedman.
December 28, 1901, an affidavit relative to the birth of Lane Lowrey was filed with the Commission. Said affidavit is considered as an application for the enrollment of said Lane Lowrey as a Creek Freedman and is made a part of the record herein.

BUD LOWREY, being duly sworn, testified:

By Commission:
Q What is your name? A Bud Lowrey.
Q How old are you? A About thirty-five.
Q What is your post office address? A Haskell, Indian Territory.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q Are you enrolled as a Freedman? A Yes, sir.

Record of Commission examined and it appears that Bud Lowrey is listed on Creek Freedmen card 563; that his name is contained in the partial Roll of Creek Freedmen, approved by Secretary of Interior March 13, 1902, Number 2131.

Q Have you a child named Lane Lowrey? A Yes, sir.
Q What is the name of its mother? A Pinky Lowrey.
Q Is she your wife? A Yes, sir.
Q Is she enrolled as a Creek Freedman? A Yes, sir.

Record of Commission examined and it appears that Pinky Lowrey is listed on Creek Freedmen card 563; that her name is contained in the partial Roll of Creek Freedmen, approved by Secretary of Interior March 13, 1902, Number 2132.

Q Is Lane Lowrey living or dead? A Living.
Q When was she born? A May 5, 1900, but I am not positive as to the year.
Q How many years ago was it that she was born? A I don't know.
Q Were you present when your child was born? A No, sir.
Q How long after its birth before you saw it? A About three days.
Q And you do not know the year it was born in? A About 1900.
Q Did you write down in the Bible or on paper the year in which it was born? A I did not and if anybody else did I don't know.
Q Was there a midwife or doctor present when your child was born? A Sarah Drew, midwife, was present.
Q Is she living? A Yes, sir.
Q What is her post office address? A Haskell, Indian Territory.
Q Did you go with your wife and Sarah Drew before the Notary Public when they made out an affidavit? A Yes, sir.
Q You do not know the year in which Lane was born but you think it was about three years ago? A Yes, sir, if I make no mistake.
Q But you are positive that it was the 5th of May? A Yes, sir.
Q Can you read and write? A Yes, sir.
Q Do you know what year this is? A 1905.
Q What month? A January.
Q What day? A Nineteenth.

CR EH 800

CR EH 800

[illegible]

Gr. No. 889.

Muskogee, Indian Territory, March 6, 1907.

E. Heston,

Attorney at Law,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Department under date of February 27, 1907, affirmed the decision of the Commissioner to the Five Civilized Tribes, denying the application for the enrollment of Lindsay Grayson, deceased, as a citizen of the Creek Nation.

Respectfully,

Commissioner.

Cr. No. 682.

Managers, Indian Territory, March 6, 1907.

Sam Grayson,

Okmulgee, Indian Territory.

Dear Sir:

You are hereby advised that the Department under date of February 27, 1907, affirmed the decision of the Commissioner to the Five Civilized Tribes, denying the application for the enrollment of your deceased mother, Malinda Grayson, as a citizen of the Creek Nation.

Respectfully,

Commissioner.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS.
WASHINGTON.

LAND
9420-1907.

February 21, 1907.

COPY

The Secretary of the Interior,
The Honorable,

Sir:

I have the honor to transmit herewith a communication from the Commissioner to the Five Civilized Tribes, dated January 26, 1907, enclosing record in the matter of the application for the enrollment of Lucindy Grayson, deceased, as a Creek freedman, including the decision of the Commissioner, dated January 25, 1907, denying the application. Application was made in affidavit form on April 20, 1902, for the enrollment of Lucindy Grayson, deceased, as a Creek freedman. Testimony was taken in the matter on January 4, 1904, November 10, 1905, October 2 and 31 and November 1, 1906. The evidence shows that the name of Lucindy Grayson is identical with the 1890 authenticated tribal roll of the Creek Nation, as "Lucinda Brum Grayson", and on the 1895 pay-roll as "Lucinda Grayson", and that she is now dead. The record further shows that in proceedings before the Greek Land Office of the Commission to the Five Civilized Tribes on February 20, 1900, Lida James, a daughter of Lucindy Grayson, deceased, testified that her mother had been dead "about three months". I do not know how long nor the day she died, died a little before Christmas", and on April 14, 1903, she executed an affidavit in which she stated that Lucindy Grayson died November 25, 1899, and on October 2, 1906, she testified that her mother died January 8, 1899, and that her affidavit did not contain the statement she made to the person who prepared it. There is considerable testimony taken in the matter in which all of the witnesses who gave testimony are relatives of Lucindy Grayson, deceased. The testimony of the greater number of them is nearly as conflicting as that of Lida James above stated. A record of the date of the death is alleged to have been kept, but was never presented before the Commissioner, although an effort was made to get it. It further appears from the evidence that on the 1895 pay roll opposite the name identified as that of the applicant there is a notation which states that evidence had heretofore been submitted showing that Lucindy Grayson died prior to April 1, 1899. The evidence does not establish nor warrant the conclusion that she was alive on April 1, 1899. It appears to be fairly well established that her death occurred January 8, 1899.

The office is of the opinion that under the act of Congress approved June 28, 1898 (30 Stat.L.492), and March 1, 1901 (31 Stat.L.861), that the applicant is not entitled to enrollment and that the decision of the Commissioner to the Five Civilized Tribes dated January 25, 1907, denying the application

is correct, and it is recommended that it be affirmed.

J.P.
W.H.

DEPARTMENT OF THE INTERIOR
WASHINGTON

4522
I.T.D. 4522, 4523, 4524-1907.
4525, 4526, 4527-1907.
February 27, 1907.

1907.

DIRECT

Commissioner to the Five Civilized Tribes,
Washoe, Indian Territory.

217:

Your decision in the following Greek citizenship cases
adverse to the applicants are hereby affirmed, viz:

| Title of case. | Date of your letter of transmittal. |
|----------------------------------|--|
| W.T. Petty, (Freedman) | January 21, 1907. |
| Felix Durant Grayson, (Freedman) | January 28, 1907. |
| Mary Jane Winton | October 17, 1906. |
| Thomas Add (or Add), (Freedman) | October 16, 1906. |
| Barney and Lizzie McGee, | January 26, 1907. |
| Hidera Bruner, (Freedman) | January 26, 1907. |
| Kimble Walker, (Freedman) | January 21, 1907. |
| Honey Porter, | January 26, 1907. |
| Lida McGee, | January 26, 1907. |
| Indiana Grayson, (Freedman) | January 26, 1907. |

Copies of Indian Office letters admitting your reports
and recommending that the decisions be affirmed are inclosed.
A copy heretofore and all the papers in the above mentioned cases
have been sent to the Indian Office.

Respectfully,

James H. Wilson,

Assistant Secretary.

10 Jan. and 21
for Ind. Of.
A. T. H.
2-28-07.

Dr. No. 559.

Muskogee, Indian Territory, January 26, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings

in the matter of the application for the enrollment of

Isidore Grayson, deceased, as a Creek Freedman, including the

decision of the Commissioner dated January 26, 1907.

Respectfully,

Commissioner.

Through the Commissioner

of Indian Affairs.

Inc. CM-26-8

Gr. En. 889

Muskogee, Indian Territory, January 26, 1907.

M. I. Watt,

Attorney for the Creek Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed one copy of the decision

of the Commissioner to the Five Civilized Tribes in the

matter of the application for the enrollment of Lindsay Grayson,

deceased, as a Creek Freedman.

The decision, with a copy of the proceedings had in

the case, is this day transmitted to the Secretary of the

Interior for his review and decision. The final decision of the

Secretary will be made known to you as soon as the Commissioner

is informed of the same.

Respectfully,

Commissioner.

Ine. CM-26-7

CT.Mn.889

Muskogee, Indian Territory, January 26, 1907.

W. H. Haskins,

Attorney at Law,

Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Isomby Grayson, deceased, as a Creek freedman, denying said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

Inc. CM-26-6

Gr. No. 889.

Kuskoge, Indian Territory, January 26, 1907.

Lydia James,

Okla., Indian Territory.

Dear Madam:

There is herewith inclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Lucindy Grayson, deceased, as a Creek freedman, denying said application. The decision, with a copy of the proceedings had in this case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

Register.

Inc. CM-24-5

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Quartin, Indian Territory, December 11, 1906.

REPLY IN REPLY TO THE FOLLOWING.

En. 889.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

In the matter of the application for the enrollment of
Lucindy Grayson, deceased, as a Creek Freedman, there is herewith
inclosed the testimony of Gabe James, Johnson Grayson, Sam Grayson

and Roxie Anderson, taken by the Creek Field Party October 31,
1906, and November 1, 1906, together with copies of testimony

heretofore taken in said cause.

Since the last testimony was taken in this cause the
Creek Field Party has been informed that said Lucindy Grayson,
deceased, has already been enrolled and given an allotment of
land in the Creek Nation, the description of her allotment selec-

tion being the,

Southeast quarter of section 14, T. 15 N.,
Range 11 E.

Respectfully,

In Charge,
Creek Field Party.

JBM

| | |
|------------------------|-------------|
| COMMUNICATIONS SECTION | |
| 58788 | DEC 18 1906 |
| INDEXED | |

Posey, Alex,
Dustin, I. T.
Dec. 11, 1906.

Transmits testimony in re
enrollment of Lucindy
Grayson, deceased, Creek
freedmen.

CREEK AND FREEDMEN

Cr. No. 689.

Muskogee, Indian Territory. April 2, 1904.

Howard Ross,

Olatheville, Indian Territory.

Dear Sir:

The records of this office show that on January 4, 1904, you appeared before the Commission to the Five Civilized

Tribes, at Muskogee, Indian Territory, and made application for the enrollment of Insandy Grayson, deceased, as a Creek freedman. It is desired that further evidence be submitted in the case.

You are, therefore, required to appear at the office of the Commissioner to the Five Civilized Tribes at the earliest practicable date, with two witnesses who know the date of the death of Insandy Grayson, for the purpose of being examined under oath.

Respectfully,

Acting Commissioner.

DEPARTMENT OF THE INTERIOR.
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Cr. En. 889.

Muskogee, Indian Territory. April 3, 1906.

Alex Posey,

Greek Enrollment Field Party,

Wetumka, Indian Territory.

Dear Sir:

There is inclosed herewith complete copy of record
on file in this office in the matter of the application for the
enrollment of Lucinda Grayson, deceased, as a Greek freedman.
You are directed to secure additional evidence in
order to establish the date of death of said Lucinda Grayson,
and such other evidence as may enable this office to identify
her upon the tribal rolls of the Creek Nation.

Respectfully,

Acting Commissioner.

HEA-32

988

D.C. 48.

Muskogee, Indian Territory, January 22, 1904.

Ben Grayson,

Oke, Indian Territory.

Dear Sir:

There is on file with the Commission an affidavit executed

by you relative to the death of your mother, Lunsindy Grayson, who,
it is claimed, is entitled to enrollment as a citizen of the Creek
Nation. It is desired that further evidence be submitted in the case.
You are therefore requested to appear before the Commission
at its office in Muskogee, Indian Territory, with two witnesses who
know the date of the death of Lunsindy Grayson, for the purpose of
being examined under oath.

Respectfully,

Commissioner in Charge.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment
of Lucindy Grayson, deceased, as a Creek Freedman.

D E C I S I O N.

The record in this case shows that on April 30, 1903,
application was made, in affidavit form, for the enrollment of
Lucindy Grayson, deceased, as a Creek Freedman. Further proceed-
ings were had January 4, 1904, November 10, 1905, October 5,
1906, October 31, 1906, and November 1, 1906.

It appears from the evidence in this case that the
name of said Lucindy Grayson is identified upon the 1890 an-
thenticated tribal roll of the Creek Nation as "Lucinda Gray-
son", and upon the 1895 pay roll of said Nation as "Lucinda Gray-
son", and that she is now dead.

It appears from the record in this case that in a cer-
tain proceeding before the Creek Land Office of the Commission
to the Five Civilized Tribes, February 20, 1900, Lida James,
a daughter of said Lucindy Grayson, deceased, testified that her
mother had been dead "about 2 months, I reckon, I don't know
how long nor day she died, died a little before Christmas"; that
on April 14, 1903, she executed an affidavit in which she stated
that Lucindy Grayson died November 25, 1899; that on October 5,
1906, she testified that said Lucindy Grayson died January 8,
1899, and that said affidavit did not contain the statement she
made to the person who prepared the affidavit.

There is a considerable volume of testimony in this
case, and it appears that all of the parties who gave evidence
are the relatives of said Lucindy Grayson, deceased. The testimony
of the greater number of said witnesses is nearly in conflict-
ing as to the date of the death of the applicant.

A record of the date of the death of the applicant
herein is alleged to have been kept, and an effort was made to
obtain it but the same was never presented.

It further appears from the evidence that a notation
upon the 1895 pay roll above mentioned, opposite the name iden-
tified as that of the applicant, states that evidence has hereto-
fore been submitted showing that said Lucindy Grayson died
prior to April 1, 1899.

The evidence does not clearly establish, nor warrant
the conclusion, that said Lucindy Grayson was alive April 1, 1899.
It is, therefore, ordered and adjudged that said
Lucindy Grayson is not entitled to be enrolled as a Creek Freed-
man, under the Act of Congress approved June 25, 1906 (34 Stat.
495), and March 1, 1901 (31 Stat. 681), and application for
her enrollment as such is accordingly denied.

Muskogee, Indian Territory.

JAN 25 1907

COMMISSIONER.

Q Do you remember the circumstances of the opening of the Greek
Land Office? A No sir, I don't remember that.
Q You don't know then whether Lucindy Grayson lived at that time
or not? A No sir, I ain't certain whether she was or not,
because we didn't get our land over there and I didn't pay any
attention to that part of it.

James B. Myers, being first duly sworn, states, that as
stenographer to the Commissioner to the Five Civilized Tribes, he
recorded the testimony in the foregoing proceedings, and that the
above is a true, and correct transcript of his stenographic notes
thereof.

James B. Myers

Subscribed and sworn to before me,
this 10 day of Dec., 1906.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
BYARS, I. T., NOVEMBER 1, 1906.

In the matter of the application for the enrollment of
Lusindy Grayson, deceased, as a Creek Freedman.

ROXIE ANDERSON, being first duly sworn, and examined,
testified as follows:

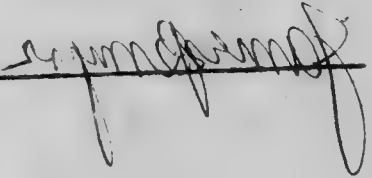
BY THE COMMISSIONER:

Q What is your name? A Roxie Anderson.
Q How old are you? A 27.
Q What is your postoffice address? A Okla.
Q Are you a citizen of the Creek Nation? A No sir.
Q Are you a citizen of the Chickasaw Nation? A Yes sir.
Q Chickasaw Freedman, are you? A Yes sir.
Q Were you acquainted with Lusindy Grayson? A Yes sir, I
recoiled I was.
Q Was she any kin to you? A She was my grandmother.
Q Do you know when she died? A Yes sir.
Q When? A November 23, 1899 when she died.
Q What helps you to remember that she died on that date?
A Because I written the time she died down in a book of papa's.
Q What kind of a book? A I forgot the name, it was a kind
of a Bible or history.
Q "Contraverted between Christ and
Satan," I think is the name of it.
Q You read and write, do you? A Yes sir.
Q When did you make that record? A I made it after she died,
I went to the burying and come back and made it.
Q Did you write the record with a pen or pencil? A I written
it with a pencil.
Q Can you recall how that record reads? A I written it
"Lusindy Grayson died November 23, 1899," in the very way I
written it.
Q Where is that book in which you made the record? A Home
lent it to the Methodist preacher at Berlin.
Q Do you know the name of the preacher? A Yes sir.
Q What is his name? A Smith.
Q What is his first name? A Lee.
Q Lee Smith? A Yes sir.
Q Where does he live? A Berlin is his postoffice.
Q Are you absolutely positive that Lusindy Grayson died November
23, 1899? A Yes sir.
Q Does that book contain any other matter—records made by you
relative to the death of other people? A Yes sir.
Q Are you in the habit of making records of all the deaths in your
your family? A Yes sir.

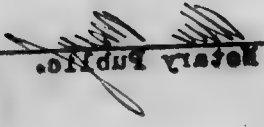
Q Where is the Bible in which she made that record?
A My wife loaned it to a Methodist preacher and he said never brought it back.
Q You don't know in what month or year she died?
A No sir, I don't, I can't remember.
Q Do you know how many years she has been dead?
A No sir, I can't really.
Q Had she always lived in the Chickasaw Nation prior to her death?
A Always had, I don't think she lived in the Greek Nation a week in her life, as I know about because my father-in-law lived on this side with her husband until she died and she remained over here.
Q Do you know whether she was ever known as a Chickasaw or not?
A No, not as I know anything about, if she was I never heard of it.

Witness is advised that the testimony of Rosie Anderson and the Bible record related to is desired in this case.

James H. Myers, being first duly sworn, states, that as stenographer to the Commissioner to the Five Civilized Tribes, he recorded the testimony in the foregoing proceedings, and that the above is a true, and correct transcript of his stenographic notes thereof.



Subscribed and sworn to before me,
this 10 day of Dec., 1906.


Notary Public.

Q Did it was before I was born.
Q Do you know if she ever lived in the Greek Nation? A If she
Q Where had she always lived? A Right here in the Chickasaw
A No sir, I don't know.
Q Do you know whether or not she drew the \$14.00 payment?
A Yes, I remember her drawing money, the \$29.00
Q Do you know if she was enrolled as a citizen of the Greek
A Just said Lucy Grayson.
Q When my grandfather died she never did marry any more, she
is known as "Long" Ben Grayson's wife, my grandfather-father.
A That is all I ever knewed her to be, Lucy Grayson, she was
Was your grandmother always known as Lucy Grayson?
Months, or not quite so long.
Q You went and filed? A Why it might have been seven or eight
About how long after your grandfather died, was it, before
on about a year when I filed.

Testimony of Sam Grayson.

SAM GRAYSON, being first duly sworn, and examined,
testified as follows:

BY THE COMMISSIONER:

Q What is your name? A Sam Grayson.
Q How old are you? A 63.
Q What is your postoffice address? A Okla.
Q Are you a citizen of the Greek Nation? A Yes sir.
Q To what Greek town do you belong? A Northfork.
Q Where you acquainted with Lucy Grayson? A Yes sir.
Q What relation was she to you? A She was my mother.
Q Was she a citizen of the Greek Nation? A Yes sir.
Q Was she enrolled as a Greek citizen? A Yes sir.
Q Did she ever draw any money in the Greek Nation? A Yes,
sir.
Q Do you remember in what payments she participated? A No,
sir, I don't remember.
Q Did she draw the \$29.00 payment? A Yes sir, I am certain
she did because it was brought and give to her.
Q Was she always known as Lucy Grayson? A Yes sir, that
is what she went by.
Q What was her maiden name? A McIntosh. She belonged to
Sallie McIntosh.
Q She was a slave of Sallie McIntosh? A Yes sir.
Q Do you remember when she died? A No sir, I can't tell
exactly but my daughter have got it down, she is the only one
that kept the "memorance" when she died, the day and the year.
Q You say your daughter made a record of her death? A Yes sir.
Q In a Bible? A Yes sir.
Q Have you got the record? A I haven't got the book at home
but she knows it all right today, because I called to see
her this morning to find if she remembered and she wrote it down
and she gave it to me to send down to you men this morning.

Q You are absolutely positive, are you, that she died on the 23rd day of November, 1893? A Yes sir.

Q Do you know about how old she was? A No sir, I know she must have been about 70 some years when she died.

Q Had she always lived in the Chickasaw Nation? A No sir, she lived in the Creek a while.

Q Do you know whether or not she was ever recognized as a Chickasaw Freedman? A No sir, not as I know of, I don't know but she was.

Q Do you know why it is that her relatives have not looked after her rights in the Creek Nation before this time? A No sir, it was just slothfulness and sickness, the old man is sick nearly all the time.

Q Do you know whether or not any of her children have a record showing the date of her death? A The old man says he has got it but I think the book is down here at Berlin, he loaned it to a preacher and he carried it off.

Q Who you mean by the old man? A Sam Grayson, my brother-in-law, the old lady's son.

Testimony of Johnson Grayson.

Johnson Grayson being first duly sworn, testified as follows:

BY THE COMMISSIONER:

Q What is your name? A Johnson Grayson.

Q How old are you? A 27 years old.

Q What is your postoffice address? A Okla.

Q Are you a citizen of the Creek Nation? A Yes sir.

Q To what Creek town do you belong? A Northfork.

Q Do you know Lucindy Grayson? A Yes sir.

Q She is dead, is she? A Yes sir.

Q What relation was she to you? A Grandmother.

Q Do you know when she died? A Yes sir.

Q When? A Well, I wouldn't be positive but I know the very day she died, I mean the very evening, it has been a good while ago.

Q Do you remember the month and year? A Yes sir, I remember what month it was in; the reason I remember in what month it was in is because the court was here at Purcell in November, and the court was going on when she was so low.

Q Did she die in that month? A Yes sir.

Q What time in that month? A Well, I couldn't say be positive, it was a way long about the middle of it, it was November, I remember that.

Q Do you remember what year that was? A No sir, I can't, I couldn't be positive.

Q About how many years has it been since she died? A About seven years.

Q Do you remember the circumstance of the opening of the Creek Land Office? A No sir, I couldn't be positive about that neither, it has been so long.

Q You don't know whether your grand-mother was living when people first began to file upon their allotments or not? A I couldn't be positive that I knew it that time because it was after she died that I went to file and filing had been going

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
OKLA, I. T., OCTOBER 31, 1906.

In the matter of the application for the enrollment of
Lucindy Grayson, deceased, as a Creek Freedman.

GABE JAMES, being first duly sworn, and examined, testi-
fied as follows:

BY THE COMMISSIONER:

Q What is your name? A Gabe James.
Q How old are you? A At least, will be 45 the second day
of February.
Q What is your postoffice address? A OKLA.
Q Are you a Chickasaw Freedman? A Yes sir.
Q Are you acquainted with Lucindy Grayson? A Yes sir.
Q Was she a relative of yours, or not? A No, just a mother-
in-law.
Q Was she a Greek or Chickasaw citizen? A Claimed to be Greek.
Q Do you know to what Creek town she belonged? A Northfork
colored
Q Has she any relatives living? A Yes sir.
Q Can you name them? A Ben Grayson, Sam Grayson, Lydia
James, and Lydia and Ben Grayson and Bettie Rose.
Q Do you know whether or not they were enrolled as citizens of the
Greek Nation? A Yes sir, they are enrolled as freedmen of
the Greek Nation.
Q And taken their allotments, have they, in the Greek Nation?
A Yes sir.
Q Was Lucindy ever known by any other name than Lucindy Grayson?
A Not as I know of.
Q Do you know whether or not she ever participated in any of the
per capita payments in the Greek Nation? A Yes sir, she
drew the \$29.00 and the \$14.40 payments.
Q Do you know the exact date of the death of Lucindy Grayson?
A Yes sir.
Q When did she die? A The 23rd day of November, 1899.
Q Have you a record showing the date of her death? A No sir,
did have it down on some papers I had but it got misplaced.
Q She died two years before my mother.
Q When did your mother die? A She died November 23, 1901.
Q Both died on the same date? A Yes sir, on the same date.
Q But different years? A Yes sir.
Q Do you remember the circumstances of the opening of the Greek
Land Office? A Yes sir.
Q Was Lucindy Grayson living at that time? A Yes sir.
Q How long did she live after the Greek Land Office opened?
A I suppose expect she might have lived--now I am not sure--about a
year or two, I think. A year anyhow, 'cause we were aiming
to go down there and couldn't leave her because she was mindless,
and we had to stay there and take care of her.
Q Do you mean by that that she was mentally incompetent? A Yes,
sir, she didn't know what she was doing at time.
Q Where did she die?
Q She died down here about three miles east of OKLA at my
house.

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deceased, and Betty's husband, Edward, are advised that they should have Sam Grayson appear at this office at an early date as possible with any church records or any other record about the death of Lucindy Grayson, and at the time he appears that they should endeavor also to produce other testimony about the real date of the death of Lucindy Grayson.

Gora Moore, being first duly sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes she reported the proceedings had in the above entitled cause on October 5, 1906, and that the above and foregoing is a true and correct transcript of her stenographic notes taken in said cause on said date.

Gora Moore

Subscribed and sworn to before me October 16, 1906.

Edward Moore
Notary Public.

WITNESS EXCUSED.

Q What do you think now, after talking it over, do you think your mother died before Christmas or after Christmas? A She died before Christmas.

Q You are sure of that are you? A Yes sir, I left him.

Q And my children stayed at my brother's house; I just left Sam didn't go to the funeral? A My brother's children and my children stayed at my brother's house; I just left.

Q What is your brother's name? A Sam Grayson.

Q What is your brother's name? A I left him at my brother's.

Q Did you take your baby Sam with you when you went to your mother's house? A Yes sir.

Q Lidia, at whose house your mother died, would you know more about from what she does today, and still you say your sister died January 8, 1899? A Yes sir, she died in February of 1900, that is six years and about seven or eight months ago, she testified differently.

Q And Lidia testified in February of 1900, that is six years and Lidia older than Sam? A Yes sir.

Q You don't mean Lidia? A No sir, my boy.

Q You mean Sam now was a good sized baby? A Yes sir, my little boy.

Q right? A He was a big baby, good sized baby when my mother died.

Q boy Sam would be born after your mother died, could that be that is after January 8, 1899; if she was right why then your The records show your son Sam was born in March of 1899; died January 8, 1899? A Don't think she was mistaken.

Q Do you think she was mistaken today when she said your mother's house? A Yes sir, at sister's house.

Q Remember dates better than you? A Yes sir; she died at my sister's house.

Q Lidia better educated than you? A Yes sir guess she is.

Q At Lidia's house? A Yes sir, at sister's house.

Q knows better than you? A Yes sir; she died at my sister's house.

Q what this very sister Lidia testified today, and you say she Sam to have been at least a year before Sam was born; that is 8, 1899, which is shown by the date the birth of your child Your sister testified today that your mother died January 8, 1899, which is shown by the date the birth of your child exactly, my sister knows how long she has been dead.

Q How long has your mother Lucindy been dead? A I don't know sir, Lucindy died? A No sir.

Q their land in the Greek Nation at the time your mother Greek Nation-- had you heard of anybody having lived on to enroll, taking census, but actually selecting land in the their land-- that doesn't mean going before the field party Betty have you ever heard of any Greeks having lived on been so long I don't forget.

Q big day you heard them talking about or not? A It has You don't remember whether your mother died before that as long I don't forget about it.

Q Had your mother died at that time or not? A It has been one in your neighborhood that died the first day? A Yes You didn't go up to file at that time; didn't you hear of any- they were allowed to file and this town was just full of people;

Q Did they come for you to make the coffin? A Yes sir.
 Q Did you make it? A No sir, I was busy.
 Q And you said a while ago that the next day after she died
 Cal shipped away a whole lot of goods? A No sir, Cal got
 them in there that day.
 Q Where is Cal Hoggard now? A Byars City, Chickasaw Nation.
 Q Is he there in business now? A Not as I know of, he was
 living at Okla when I moved there; after his wife died
 he moved out to Byars.
 Q Is that the only thing that helps you remember that
 Lucindy died on January 8, 1893? A That is the only time
 I recollect of, that is the best of my remembrance.
 Q Do you know of any Greek citizens of any kind, freedmen or
 Indian, who had filed on their land-- that means actually
 selected an allotment of land in the Creek Nation-- before
 your wife's mother Lucindy died? A No sir, I don't remember
 who did come in and file, no sir I don't recollect.
 Q Your wife didn't file until 1903? A No sir.
 Q The filing began a long time before that. A Yes sir.
 Q You know when the Creek Land Office opened, when the first
 filing was done, the first day of the filing? A No sir,
 I don't know the first day it was, don't know what month
 it was.
 Q You don't know whether your wife's mother Lucindy died before
 or after the filing began do you? A No sir, don't know
 whether before or after how long it opened after the enrolling.

WITNESS EXCUSED.

BETTY ROSS, being recalled, testifies as follows:

BY THE COMMISSIONER:

Q Now Betty you have a son named Sam Ross? A Yes sir.
 Q Is he living? A Yes sir.
 Q How old is he? A Going on seven years old.
 Q When was he born? A I got it all put on the bible at home,
 done forgot how old he is.
 Q Was he born the year your mother Lucindy died? A Yes
 sir, a baby.
 Q You mean to state that your mother Lucindy died after he was
 born? A Yes sir.
 Q Sure of that? A Yes sir.
 Q How long after his birth? A My baby was a year old when my
 mother died.
 Q Are you sure of that? A Yes sir, I think he was a year old
 when mother died.
 Q I asked you a while ago didn't you remember when the land office
 opened, you said you didn't? A No sir.
 Q Don't you remember about hearing about that, the biggest day of
 the Greeks, the first day, the opening, the first day they

Lucindy Grayson--11

Q Who is he, Gabe Hester?
Q That your husband? A Yes sir.
Q Is he living? A Yes sir.
Q Where? A Chickasaw.

WITNESS EXCUSED.

EDWARD ROSS, being recalled, testifies as follows:

BY THE COMMISSIONER:

Q Was this your wife's sister who just left the stand, Lizzie James? A Yes sir, my wife's sister.
Q Do you remember when she came up here to make application for herself, her children and these three children? A No sir, don't remember that. She came long before that date; she was the first one to come in; don't remember just what time she came in.
Q Do you know how long her mother Lucindy Grayson had been dead at the time she came here? A No sir, I do not, I won't be certain; seems to me she came a little before or after, don't know exactly what date she died, what time it was.
Q Do you know why Lizzie didn't come in here before she did? A No sir, she did want to get them all together, all kept promising to come together; they didn't get ready and she just pulled out and come herself, come ahead of the rest of them. Talked of coming in while her mother was there sick, but she didn't care much about leaving her; finally she come; don't recollect just what time it was.
Q Could it have been as much as a year before she came here before her mother died? Could her mother have died as much as a year before that time Lizzie came in here? A It seems to me like she come in after.
Q I asked, could there have been as much as a year after she died? A Yes sir, there could have been.
Q Well at the time Lizzie came in here she said it was about three months, and she said that her mother died before Christmas; what have you to say about that now? A She certainly got that wrong, according to my recollection.
Q Couldn't you be mistaken? A Yes sir, I could be, I think I am positive; I might be mistaken.
Q What makes you so positive that your wife's, Lizzie's mother died after Christmas and died in January? A Why it come to me that way; I know I was working there at that store at that time.
Q What store? A At Cal Hester's; I am positive it was in January.
Q And you were working at his store were you at that time? A Yes sir.

Q Want your remembrance at the time you made application here for yourself at the Land Office, want it better a short while after the death? A I ought to have been. Do you know what time that was you came and made that application? A Came in cold weather, that is all; couldn't tell you what month to save my life.

Q It appears from the records that February 20, 1900, at that time you said your mother had been dead about three months you reckoned, you didn't know how long; do you still think that January is correct for the date of the death of your mother? A That is all I can remember, I ain't sure, I was just thinking of that today.

Q Why did you state when you came in here in the matter of your own enrollment that your mother had died before Christmas; were you mistaken when you said that? A Before Christmas--did I state that?

Q Yes, in your testimony? A I don't know, I don't believe it was. You don't believe it was before Christmas? A I don't believe it was. I state to you all I don't know hardly. I know when they wanted to know why I hadn't come before now I told them mother was mindless I had to stay with her.

Q Can you state how long your mother had been dead at the time, how long had your mother been dead when you got here in February, 1900? A Yes sir, she was dead then.

Q How long? A I don't know how long.

Q Could it have been a year at the time you came in here? A I just can't remember to save me; I will ask the old man, he knows when I come down here.

Q What old man? A Old man Edward Ross; he knows when I come down here.

Q Did your mother, Lucindy Grayson, belong to the church out there? A Yes sir.

Q Do you know whether any church officer put down the date of her death in a book? A No sir, do not remember.

Q Don't they keep track of the date of deaths of their people? A Sometimes do.

Q Who was church officer at that time? A Her own son was church officer.

Q Sam Grayson? A Yes sir.

Q Who preached the funeral of your mother? A A state boy.

Q Know what his name was? A Charlie Kennedy.

Q Where is he now, do you know? A He is in Texas. Last time I hear.

Q Who all was there at the funeral? A I couldn't tell you; whole lot of folks.

Q Did you buy anything to help bury her, any burial clothes? A Nothing but the lumber.

Q Where did you buy the lumber? A Johnsonville, in the Chickasaw Nation.

Q Know what store? A My husband got it.

Q Know whether he paid for it or had it charged? A No he paid for it; bought some lumber and stuff to fix up the lining of the coffin; I had some nice clothes, I buried her in those.

LUCINDY GRAYSON---

Q How old are you? A Don't know exactly how old I am.
Q About forty-five aren't you? A Yes sir, guess about that.
Q What is your postoffice address? A Oke--Clarksville.
Q What was it before that, Oke? A No sir, my sister stayed up there at Oke.
Q What is the name of your father? A Ben Grayson.
Q How long has he been dead? A Been a good while.
Q What is the name of your mother? A Lucindy.
Q Is Lucindy living? A No sir.
Q When did she die? A I want there when she died; she stayed with my sister; it was cold weather anyway.
Q Did you go to the funeral? A Yes sir.
Q Was that after Christmas? A Before Christmas I think.
Q Think now it was after Christmas my mother died; it was cold weather.
Q Do you know anything that happened to make you remember that?
A It was cold weather when she died; I want there.
Q Do you know what month she died in? A No sir.

WITNESS EXCUSED.

LIDIA JAMES, being recalled, testifies as follows:

BY THE COMMISSIONER:

Q You said that one of your mother's grand-children was named Pearly, didn't you? A Yes sir.
Q Do you know whether Pearly was born yet when your mother died? A Yes sir, she was born.
Q When was Pearly born, do you know? A No sir, I don't, but I believe she is ten years old, I don't know exactly.
Q Do you know how old Pearly was when your mother died? A No sir, I don't, she was small, little thing though.
Q You remember that you testified at the Land Office here in Mukogoo about the enrollment of this Lidia James, Nees Grayson, and three children of Hepato's? A Yes sir.
Q How long had your mother been dead then? A She might have been dead a year or so, I don't know.
Q You testified at that time that she died a while before Christmas. You were asked this question "What is the name of your mother?" Answer: Lucindy Grayson. Is she now living? Answer: No sir. How long has she been dead? About three months I reckon, I don't know how long she died, died a little before Christmas. How do you remember that with your statement that she died in January? A She died in January.
Q How could you say that? A My remembrance.

Q What is your name? A Name's Betty Ross.

BY THE COMMISSIONER:

Notary Public, testifies as follows:
HETTY ROSS, being first duly sworn by Henry G. Haines, a

WITNESS EXCUSED.

Q Was your father's name Ben Grayson? A Yes sir.
Q Who? A Sally Molish.
Q Do you know who your mother, Lucindy, was a slave of? A Yes sir.
Q Who made that coffin? A John Albin and Fred Love.
Q What undertakers were there? A Didn't have any, just had a
remember that.
Q Do you know what day of the week it was she died? A Don't
that I was too poor and I was robbing myself.
Q Did you have a doctor there when Lucindy died? A Told me
his postoffice OK? A Yes sir.
Q Where is your brother Ben living now? A Lives up at OK's.
Q Was he there? A Yes sir, he was a clerk in the store.
Q Do you know J. N. Lewis? A Yes sir.
Q Do you know Jeff Cole? A Yes sir, he was there.
Q Do you know who witnessed your signature? A I forgot; Gabe.
Q Who was present when you touched the pen to that affidavit?
A My husband Gabe, brother Sam; I couldn't tell who all was
there.
Q Did Ben pay him too? A That's all he charged, fifty cents.
Q What did you pay him? A Fifty cents.
Q Did you pay him for that? A Yes sir.
Q If you had known that was written would you? A No sir.
Q That affidavit? O No sir, I would not.
Q If he had put it November 23, 1899, would you have signed
it? Didn't he read it January 8, 1899? A He read it.
Q You told him January 8, 1899? A Yes sir.
Q Know what Ben told him.
Q I was standing by the counter; I told him myself; don't
were you there when he made it out? A Made it out in the
A I don't know what he told him.
Q And did he tell the Notary Public January 8, 1899 also?
Q Is Ben Grayson your brother? A Yes sir.
Q Is he living? A Yes sir, he is living at OK's.
Q I know the old man well, his name is Boas.
Q Mother Lucindy died on the 8th of January, 1899? A Yes sir,
Q You are sure that you told that Notary Public that your
it is incorrect as it; it is not correct is it? A No sir.
Q If this affidavit which was made before him states that your
mother Lucindy Grayson died on the 23rd of November, 1899,
Lucindy Grayson-----8

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Q Sam Grayson you say is her son? A Yes sir, oldest one.
Q Is Tom Grayson any kin to her? A Yes sir, grandson.
Q Rookie Grayson? A Rookie; yes sir.
Q What is she? A Grandchild.
Q John? A Grandchild.
Q Elizabeth? A Grandchild.
Q Edmund? A Grandchild.
Q Thomas? A Grandchild.
Q Where are they enrolled? A In the Chickasaw.
Q Do you know who drew the money for Lucindy Grayson your
mother? A If I ain't mistaken it was Bob Johnson.
Q Do you know who drew the fourteen? A Wash Collins.

BY MR. LEEB:

Q Where was she buried? A I don't know. She moved from the
Greek Nation into the Chickasaw. I think it was in the
Greek Nation somewhere.
Q Did you ever see her grave? A Yes sir, I see her grave all
the time.
Q Any inscription on it? A Yes sir. Been so long the little
board is rotting down. We did not put up any tombstone.
Q Where is her grave? A She is buried on one of her grandsons'
places, John Grayson, one of his children's places; he
married a Chickasaw, -- Nellie Grayson's place.

BY THE COMMISSIONER:

Q Did you execute an affidavit about the death of your mother
Lucindy; did you touch the pen to a mark and hold up your hand
and swear to it before a Notary Public? A I don't know; I
forgot.
Q Don't you remember going before a Notary Public along with
Sam Grayson? A Yes sir, I do at OKLA.
Q Do you remember the man's name, the Notary Public? A Mr.
Boas.
Q You and Ben both swore to an affidavit? A Yes sir.
Q Was that affidavit read over to you? A He read it over to me
once.
Q Did you tell him what to put in that affidavit? A Yes sir.
Q Did you tell him the time to put in it? A Yes sir.
Q How long had it been at this time when you and Ben went to
make that affidavit? A Don't know whether it is two years
or three years; sometime along about that time.
Q Could it have been four? A It might have been four. I
remember it now.
Q Remember making an affidavit? A Yes sir.
Q Do you remember what year you told him that your mother died?
A I told him that she died January 8, 1899.
Q If he put it down November 23, 1899, he didn't put down
what you told him then? A No sir, he didn't.
Q Can you read? A No sir, can't read a bit.

Lucindy Grayson-----6

Q Name some others? A Sam Grayson.
Q Where does he live? A He was at OKra; and Ben Grayson.
Q Where does he live? A OKra.
Q Betty Ross, she is out there now? A She lives in the
Greek Nation.
Q Anyone else? A That is all there are living.
Q Name some of the dead ones? A Hepate Tiller.
Q Has Hepate a couple of children living? A Yes sir.
Q What are their names? A John Tiller and Isabelle Tiller.
Q Live at OKra? A Lives at Beryan, below there. Robbin Vincent
is her child too.
Q Is Hepate's child too? A Yes sir; and Pearly Tiller.
Q Pearly Tiller is not very old? A No sir.
Q Lucindy is dead is she? A Yes sir.
Q Were you present when she died? A Yes sir, she died right
in my house.
Q What date did she die? A She died the 8th day of January,
'99.
Q How do you remember she died in January; is there anything that
helps you to remember that? A She was right there in my
house; it was cold weather in January.
Q Are you sure it was in the first month in the year she died?
A I think it was.
Q You know when New Year's day is? A Yes sir.
Q She died after that did she? A Why I don't know anything
about that.
Q You know when Christmas comes? A Yes sir.
Q Did she die before or after Christmas? A She died after
Christmas.
Q Did you write down anywhere a record of the death of this woman
in your house? A No sir, I didn't.
Q Was there anything happened about that time to help you fix
that date in your mind that it was the 8th day of January,
1899? A Nothing but the death of her.
Q Do you know when the Greek Land Office opened, when people
first began to file on their land? A No sir, I don't.
Q I don't mean the date; do you remember of hearing of it at
the time; it was a big day; all that could, a great big crowd
came in on that first day; don't you remember that? A No sir
I don't believe I do.
Q You were it was in a winter month, and that it was
in January? A Yes sir.
Q You know the months of the year don't you? A Yes sir, some-
times.
Q How many months in the year? A Twelve.
Q You were it was after Christmas when your mother died? A Yes
sir.
Q When did you come in to file for yourself? A I can't tell you
when I did; I guess it will show on the record when I filed;
I can't tell you.
Q Did your mother ever draw any money from the Greek Nation?
A Yes sir.
Q What amount? A Twenty-nine and the fourteen.
Q How long after the fourteen dollar payment was it that she died?
A Might have been two years or more, I don't know; she lived
quite a while after that.

Statement on behalf of the Commissioner.

Reference to Creek Freedman roll card, Field No. 1889 shows the name of Ben Grayson and his nephew, Robert Vincent, opposite Nos. 2369 and 2370. Notation on the back of said card shows the parents of said Ben Grayson, dead, and Lucinda Grayson, dead. The parents of said Robert Vincent shown to be Moses Vincent, Chickasaw, and Hepatic Jiles, dead.

Q When you testified here in 1904 that Lucinda Grayson was living when the Creek Land Office was opened you were mistaken? A May have been mistaken; I didn't know there was any difference between the two, enrolling and the opening of the land office.

Q When you answered that you appeared when the Creek Land Office was opened, then as I understand you to say you didn't know the difference between the opening of the land office and enrolling? A Understood it to be the same thing.

Q You stated you were up here when the land office opened; you mean by that you were up here to the enrolling? A No, sir, wasn't up here when all was coming to be enrolled; thought it was the same thing, when they were enrolled they were filed.

Q Is this Ben Grayson living, her son? A Yes sir.

Q What is his postoffice? A O.K.

Q Is her son, Ben Grayson, living? A Yes sir.

Q Didn't come with you today did he? A No sir, both in the Chickasaw Nation.

WITNESS EXCUSED.

LIDIA JAMES, being first duly sworn by Henry G. Hains, a Notary Public, testifies as follows:

BY THE COMMISSIONER:

Q What is your name? A Lidia James.
Q How old are you? A Forty years old I reckon.
Q What is your postoffice? A O.K.
Q How long have you lived there? A Well I couldn't tell you how long.
Q About how long? A I don't know sir how long.
Q Has it been ten years? A More than that.
Q Are you a citizen of the Creek Nation? A No sir.
Q Did you know Lucinda Grayson? A Yes sir.
Q What was the name of her husband? A Ben Grayson.
Q Is he dead? A Yes sir.
Q Do you know when he died? A No sir, I was small.
Q Long time ago? A Yes sir.
Q Do you know any children of Lucinda Grayson? A Yes sir.
Q Are you one of them? A Yes sir.

Lucindy Grayson-----4

"Lucindy Grayson was a slave of Sally McIntosh, widow of Ben Grayson, deceased."

Q Was Lucindy Grayson a slave of Sally McIntosh? A Yes sir, she was a McIntosh before she was married, and she married a Nollish.

Statement on behalf of the Commissioner.

Another notation appearing on said card reads as follows:

"John and Isabella Giles (on roll as John and Isabella Grayson) are children of Frank Giles, Chickamauga colored, and Heppy Giles, nee Grayson, deceased, North York colored roll."

Q The Heppy Giles whose name appears in the second memorandum-- was she a relative of Lucindy's? A Yes sir, daughter.
Q And you have already testified that Heppy Giles is dead? A Dead.

Statement on behalf of the Commissioner.

It further appears from the records of this office that the name of Lucinda Grayson is listed among a list of names formerly members of North York town, Greek Nation, who died prior to April 1, 1899. Said list was prepared and the list as to date of their death sworn to by certain members of the Greek Council for said town. Among the members of said council signing this list being Robert Grayson, George Island, Corbry Hill and Sampson Richard.

Q Are you acquainted with any of these members of the Greek Council for North York town I have just named? A None but Robert Grayson.
Q Was this Robert Grayson any relative to Lucindy's? A No more than step-son, I think is all.

Statement on behalf of the Commissioner.

The name of Lucindy Grayson appears on the 1899 pay roll of North York colored town as a member of the family of which Sam Grayson appears as the head. Opposite the name of Sam Grayson reference is made for the purpose of identification to Greek card, field No. 1869. The other members of said family are Thomas, Hookie, Julius, Zephia, Edmund and Thomas Grayson. Opposite their names appears the pencil notation "enrolled as Chickamauga". The name of Lucindy Grayson appears as the eighth member of said family and opposite her name appears the notation "died prior to April 1, 1899", reference being made to latest K-4. In said latest is found the list previously referred to as members of North York town who died prior to April 1, 1899.

Q Do you know this Sam Grayson who appears in this group here? A Yes sir, know one.
Q What kin is he to Lucindy's? A Her son.
Q Do you know if he has a nephew enrolled with his name? A Yes sir, Lucindy's little boy.
Q Heppin who? A Vincent.

Q The Commission, when it first began the work down here started to enroll. After they had done considerable enrolling they opened a land office. Was this woman living when the land office was opened and when people began filing? A I went away the day; reason I say that I don't know what year they opened the land office; I just take it to be about the same. Are you positive that Lucindy died in January? A Yes sir. And do you know what year she died? A '99. Now, for your information, I will state the land office opened here on the first of April, 1899. If she died in January, 1899, she died before the land office opened, didn't she? A Yes sir, according to that she did. When you appeared here and testified in this matter on January 4, 1904, you were asked the question (referring to the death of Lucindy Grayson):

Q "Is she living or dead? A She is dead.
Q When did she die? A About the 9th of November, 1899."

Q You have stated just a moment ago that Lucindy died on the 8th of January. When you were here before you stated that she died about the 9th of November? A No. Yes? A Don't think I did. Don't think you stated that? A Don't think; if I ain't mistaken I said the 8th. If you stated that she died the 9th of November, 1899, when you testified here before, were you mistaken at that time? A No sir, I thought it was same what I give you just now; I tried to keep good recollection of it; I stated on the 8th of January. You have just stated that Lucindy died on the 8th day of January? A Yes sir. When you were here before you stated that she died on the 9th of November; when you stated here before that she died on the 9th of November, were you mistaken at that time? A According to that I must be. You were mistaken when she died? A In January, it went in my mind. After Christmas was it? A Yes sir. If you stated that she died in November you must have been mistaken, is that right? A Must have been. Were you acquainted with John Tiller? A Yes sir. Were you acquainted with Lucinda Tiller? A Yes sir. What relatives were they of Lucindy? A Grand-children.

Statement on behalf of the Commission.

It appears from the records of the Commission that the names of Lucindy Grayson, John Tiller and Lucinda Tiller were placed upon Greek Census Card in Family No. 180. A notation on said card reads as follows:

Q Any others? A And one they called Tony; I didn't get acquainted with Tony; know one was Tony. He was the mummy of John Allen, Lucindy's grandmother; she is dead.

Q Do you know when Heagy died? A Don't know when she died; living down in the Creek Nation when she died. It must have been long in either '94 or '95; she died before the old lady died.

Q How long before Lucindy died? A About four years near about, maybe four years.

Q Well could it have been three years as well as four years? A I said three or four; I don't know exactly the date, am not positive about that length of time, because we was living up nine miles near Weverka when she died.

Q What time in the year, first part of the year, or last part of the year did Lucindy die? A It was in the latter part; no in the first part, in January.

Q Are you sure it was the first part of the year she died? A Yes sir, I am satisfied, long in the first of January.

Q Did she die right after Christmas; you know when Christmas comes? A Christmas comes the first of January. She died on the 8th of January, if I am not mistaken.

Q You know when Christmas comes don't you? A Yes sir, 25th of December.

Q She died just a little after Christmas did she? A Yes sir.

Q What is it makes you remember it was the 8th of January? A Remember that date Cal Hoggard he come there; he shipped his goods on the 7th and said they were due on the 8th, and they did come that morning.

Q He ordered some goods? A Yes sir.

Q What were the goods he had ordered? A Drygoods, groceries, something like that.

Q Were you present when Lucindy died? A No sir, I wasn't there; she died about three miles and a half from where I was.

Q Who told you that she was dead? A Her son, Sam, came to me; I don't know who carried him the news; he was over east of me when she died; he came down to get me to make a coffin for her.

Q What day to make the coffin? A I don't know what day of the week it was.

Q What date in the month do you think it was? A It was on the 9th when he came to me.

Q And she died the day before? A Yes sir, it was long about the 9th; he came after the day she died; I don't know exactly what day of the week it was.

Q Do you remember when the Commission had enrolling parties going around through the Creek Nation enrolling Creek Indians? A Yes sir.

Q Did she die during the time they were enrolling Creek Indians? A Yes sir, she died. I think if I ain't mistaken it has been seven years or a little over since the Commission started enrolling; I am satisfied it has been seven, it not a little more.

Q Do you remember anything about the opening of the Creek land office to the Indians in lands? A No sir, don't remember that year; just taken it to be some time they were enrolling Indians right on up; thought when they got enrolled they were killed.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE CIVILIZED TRIBES.
Muskogee, Indian Territory, October 3, 1906.

In the matter of the application for the enrollment of
LUCINDY GRAYSON, as a Creek Freedman.

APPEARANCE:

JOHN G. LILKER, appears for M. I. West,
attorney for the Creek Nation.

EDWARD ROSS, being first duly sworn by Henry G. Haines, a
Notary Public, testifies as follows:

BY THE COMMISSIONER:

Q What is your name? A Edward Ross.
Q How old are you? A 62, being on 62.
Q What is your postoffice address? A Chickasaw, I. T.
Q Are you a citizen of the Creek Nation? A No sir.
Q State man? A No sir, I'm Cherokee; came in too late to get
my right; came as state man; didn't come back until '88.
Q Are you the same Edward Ross who came here January 4, 1904,
and made application for the enrollment of Lucindy Grayson?
A Yes sir.
Q How many years were you acquainted with Lucindy? A Ever since
I met her, '88.
Q Where did she live most of her life? A Lived most of her
life in the Chickasaw Nation; sometimes in the Creek Nation;
moved from the Creek Nation; and sometimes in the Chickasaw
Nation.
Q What was her maiden name? A McIntosh.
Q Lucindy McIntosh? A Yes sir.
Q What was the name of her husband? A Ben Grayson.
Q Is he living? A No sir, he is dead.
Q How many years ago did he die? A He has been dead over
twenty odd years I know.
Q Did Lucindy have any children? A Yes sir.
Q What was the name of Lucindy's children? A One's named
Ben Grayson, one named Robert Grayson, one named Benjamin
Grayson and Betty Grayson, Lida Grayson and Ruby Grayson.

Mr. 682.))--2.

Q When did you go before the Commission and file on your lands? A I have never filed yet. They won't let me file. All my people has filed.
Q Did Lucindy Grayson have any other brothers and sisters? A Yes, sir, but they are all dead. My oldest brother was Jim Hawkins and my oldest sister was Greeney Spencer.
Q Was Greeney Spencer any relation to Lucindy Grayson? A Yes, sir, he was her brother. All full sisters and brothers.
Q Has Greeney Spencer been given his allotment? A Yes, sir, the Commission allotted him. He died four or five years ago.
Q Did you draw money during the \$25.00 Payment with her? A Yes, sir, we drew that at the same time. All of us drew that money.
Q She was your full sister was she? A Yes, sir, full sisters and brothers--one baby and one mother.
Q Do you know who could give definite information as to when Lucindy Grayson died? A Sam Grayson would know. They must have had it put down.
Q How old was Lucindy when she died? A She was pretty old. She had grandchildren and when a person gets to having grandchildren they are getting pretty well up along in age, you know.

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I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

D. C. Skaggs

Subscribed and sworn to before me this 30th day of November, 1908

Notary Public

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Bearden, I. T., November 20, 1908.

In the matter of the application for the enrollment of Lucindy Grayson, deceased, as a Creek Freedman.

BILLY CARLINA, being duly sworn, testified as follows:

BY THE COMMISSIONER:

Q What is your name? A Billy Carlina.
Q How old are you? A Somewhere about 70 or 75.
Q What is your post office address? A Bearden.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A North Fork.
Q Did you know Lucindy Grayson? A Yes, sir, that was my sister.
Q She is dead is she? A Yes, sir.
Q Was she a citizen of the Creek Nation? A Yes, sir.
Q To what town did she belong? A Canadian, I think.
Q Do you know when she died? A Well, no, sir, I couldn't explain that part to you. It has been a good little while since she died.
Q About how long has she been dead? A I couldn't tell you exactly what time she died--whether it was four, five or six years.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Was Lucindy Grayson living at that time? A Yes, sir. She died away after that.
Q Do you know why she did not go before the Commission and make application for enrollment? A Well, she was a sickly woman one half of her time and then she had a swelling in her leg and just had to sit around.
Q With whom was she living at the time of her death? A With her son, Sam Grayson.
Q Where does he live? A Up on the South Canadian River.
Q What is his post office address? A Oakes, I think.
Q That is in the Chickasaw Nation is it? A Yes, sir. On the other side of the Canadian.
Q Do you know whether or not she was on the Dunn Roll? A She was not on the Dunn Roll.
Q Do you know why she was not? A Well, because they hadn't put her on the Dunn Roll.
Q She was enrolled as a citizen of the Creek Nation was she? A Yes, sir, she was enrolled as a citizen but not on the Dunn Roll.
Q She was enrolled as a member of Canadian Town? A Yes, sir.
Q Do you know whether or not she drew money during the 1898 Payments? A I don't know whether she did or not but she drew the \$20.00 Payment.
Q Was she known by any other names? A Before she was married she was Lucindy McIntosh and after she was married she went by Lucindy Grayson.
Q Was she ever a slave? A Yes, sir, the same person owned her own-
ed me.
Q To whom did she belong? A Salie McIntosh.
Q She was not living in the Creek Nation at the time she died? A No, sir, in the Chickasaw Nation.
Q Do you know whether or not she was ever enrolled in the Chickasaw Nation? A No, sir, but she was living there in the Chickasaw Nation.
Q What was her husband's name? A Ben Grayson.
Q Is he living? A No, sir, he died some fifteen years before she died.
Q Did she have any children besides Sam Grayson? A Yes, sir. Sam was the eldest but she has a daughter near Ft. Gibson, named Bessie Rose.

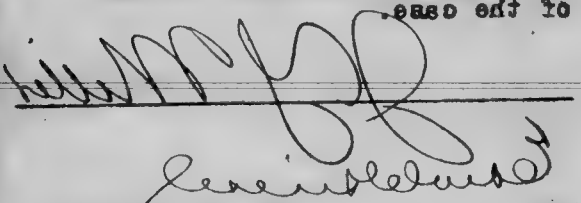
Indeedy Grayson-----3

that case power of attorney, executed by Bettie Rose, con-
stituting Ed Rose her attorney to make application to the
Commission for allotment of land. Said power of attorney
was executed the first day of January, 1906.

The death affidavit above referred to is made a part
of the record in the case.

-----CASE CONTINUED FOR FURTHER EVIDENCE.

I, J. Y. Miller, a stenographer to the Commission to the Five
Civilized Tribes, do hereby certify upon oath that the above and
foregoing is a true and complete transcript of my notes as same
appear in the stenographic report of the case.



Notary Public.

Subscribed and sworn to
before me this 21
day of January, 1906.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

Muskogee, Indian Territory, January 4, 1904.

In the matter of the application for the enrollment of Louindy Grayson as a Creek Freedman.

APPEARANCES:

E. Hestain, Attorney for Applicant.

On April 20, 1903, there was filed with the Commission an affidavit relative to the death of Louindy Grayson. Said affidavit is considered as an application for her enrollment.

Edward Ross, being duly sworn, testified as follows:

Examination by the Commission.

Q What is your name? A Edward Ross.
Q How old are you? A 60.
Q Where do you live? A Two miles this side of Clarksville; the other side of the Arkansas River.
Q Did you know Louindy Grayson? A Yes sir.
Q Any kin to you? A No sir, but my wife's mother.
Q Do you desire to make application for her enrollment as a Creek Freedman? A Yes sir.
Q Is she living or dead? A She is dead.
Q When did she die? A About the 9th of November, 1899.
Q Were you with her when she died? A It was about three-quarters of a mile from the store I was running. They came to me to make a coffin.
Q Who made the coffin? A I disremember who it was. I think a man called Albert, if I am not mistaken.
Q Did Louindy Grayson ever go by any other name? A No sir.
Q Ever since I knew her. I knew her at least 23 years.
Q Was she a citizen of the Creek Nation? A Yes sir.
Q Was she a slave? A Yes sir.
Q How old was she when she died? A She must have been about 70 years old. I guess may be a little older.
Q Do you know any of her relatives or kindred? A No more than her children.
Q What are their names? A One is called Sam Grayson, one Reuben Grayson, one Doctor Grayson, one Bettie Grayson, one little Grayson and one Benjamin Grayson.
Q What was the name of the husband of Louindy? A Ben Grayson.
Q Did she also have a son named Ben? A Yes sir, her youngest child.
Q Was Louindy Grayson on the roll, do you know? A No sir. I don't know.

CR EN 881

CR EN 881

Cr. No. 808.

Muskogee, Indian Territory, June 23, 1906.

John Deere,

Wetumpka, Indian Territory.

Dear Sir:

You are hereby advised that the names of Henry and Amy Hill, both deceased, are contained in the partial list of citizens by blood of the Creek Nation, approved June 16, 1906, and that selections of land in the Creek Nation may now be made for said children, by the administrator, at the Creek Land Office in Muskogee, Indian Territory.

This matter should receive prompt attention.

Respectfully,

Commissioner.

OT EN 888

Manakooe, Indian Territory, January 13, 1906.

M. L. Mott,

Attorney for the Creek Nation,
Manakooe, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes, in the matter of the application for the enrollment of Nancy and Amy Hill, deceased, as citizens by blood of the Creek Nation.

You are hereby advised that the Creek Nation will be allowed fifteen days from date hereof within which to protest against the enrollment of Nancy and Amy Hill, deceased, and if, at the expiration of said time, no protest has been filed, said persons will be regularly listed for enrollment as citizens by blood of the Creek Nation.

Respectfully,

Commissioner.

LYM-13-3

Dustin, Indian Territory, June 8, 1905.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

There is enclosed herewith supplemental testimony in the matter of the application for enrollment of Nancy and Amy Hill, En. 888, as citizens by blood of the Creek Nation, together with copies of testimony heretofore taken in said case. I am unable to obtain further evidence.

Respectfully,

Wm. P. Jones

Clerk in Charge Creek Field Party.

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Posey, Alex
Dustin, I.T.
Greek Nation,
June 8, 1905.

Transmits supplemental testimony
in the matter of application for
enrollment of Nancy and Amy Hill,
as Greek Citizens.

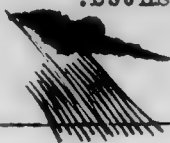
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COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Nancy and Amy Hill, deceased, as citizens by blood of the Creek Nation.

DECISION.

The records of this office show that Nancy Hill and Amy Hill were listed for enrollment as citizens by blood of the Creek Nation May 3, 1901, on Creek Indian card, Field Number 3754. Further proceedings were had January 7, January 9 and June 2, 1902. The evidence shows that said Nancy and Amy Hill, deceased, were the minor children of Jesse and Louisa Hill, and an examination of the records of this office shows that the names of said Jesse and Louisa Hill are contained in the partial lists of citizens by blood of the Creek Nation, approved by the Secretary of the Interior March 28, 1902, and November 14, 1902, respectively. Roll Numbers 7332 and 9380, respectively. The evidence further shows that said Nancy and Amy Hill, deceased, were born prior to and died subsequent to April 1, 1899. It is, therefore, ordered and adjudged that said Nancy Hill, deceased, and Amy Hill, deceased, are entitled to be enrolled as citizens by blood of the Creek Nation, in accordance with the provisions of the acts of Congress, June 28, 1898, (30 Stat., 495) and March 1, 1901 (31 Stat., 861), and the application for their enrollment as such is accordingly granted.



Commissioner.

Washoe, Indian Territory.

JAN 18 1906

children died.
Q You are positive are you? A Yes, sir.
Q How old was Nancy at the time she died? A I think she was some-
thing over two years old. I waited on her mother at the time she was
born.
Q How old was Amy at the time of her death? A The child was some-
thing like a year old. I remember it was crawling.
Q Did you attend on Louisa when Amy was born? A No, sir.
Q Are you positive that Willie Tiger never had charge of the Church
Record Book? A I am quite sure that he never though his father,
Cotche Homata, was custodian of the book during his lifetime.
Q Do you know what became of the book after it passed out of Cotche
Homata's hands? A I do not know.

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I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 19th day of July, 1905.

Charles H. Skaggs
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Proctor, I. T., June 2, 1902.

In the matter of the application for the enrollment of Nancy and Amy Hill, deceased, as citizens by blood of the Creek Nation.

Sallie Pigeon, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Sallie Pigeon.
Q How old are you? A Near fifty.
Q What is your post office address? A Slicker. (now Trenton, I.T.)
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Okchive.
Q Do you know Jesse and Louisa Hill? A Yes, sir.
Q Are they living? A Louisa is dead and I hear that Jesse has been sent to the penitentiary.
Q How long has Louisa been dead? A About two years I think.
Q Did you know their children, Nancy and Amy Hill? A Yes, sir, I lived in the same neighborhood for a number of years and was well acquainted with the family.
Q Do you know when these children died? A I am unable to fix the day and the month but they have been dead five or six years. It has been five years since we moved here from Wetumka and the two children had been dead over a year when we moved.
Q Which of the two children died first? A Nancy was the oldest child and died first. Amy died about two weeks later.
Q Do you know in what time of the year they died? A In the Winter.
Q Do you know whether or not a record was made of the death of these two children? A I do not know but I think a record was made by the officers of the town to which she belonged.
Q To what town did she belong? A Pukkon Tallahassee. John Deere may have made a record because he was at that time a member of the Greek Council for Pukkon Tallahassee Town. (The John Deere referred to gave testimony in this case at Wetumka, January 7, 1902.)
Q Do you know Willie Tiger? A Yes, sir.
Q What relation is he to Nancy and Amy Hill? A I think he is distantly related.
Q Do you know whether or not he made a record of the death of these children in the record book of Wewokochie Church? A I do not know.
Q Was he ever custodian of the Church Record Book? A I do not think that he ever had charge of the book at all. I understand that other people made entries in the book when asked to do so by the officers of the church but I do not think that Willie Tiger was ever custodian of the book or ever made any entries in it.
Q Did he ever hold the office of Secretary of the Church? A I do not think he ever acted as Secretary of the church, though he was a member.
Q Do you know whether or not he reads and writes in either Creek or English? A He reads and writes in Creek.
Q Do you know whether or not Willie Tiger was ill at the time Nancy and Amy Hill died? A Yes, sir, he was sick.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Did these two children die before or after the opening of the Creek Land Office? A They died after people began filing on their allotments, but the father was a member of the Snake Nation at that time and would not go before the Commission and make application for his children. It was quite a while after people began filing that the

Q What time in September did Nancy die? A She died about the tenth, I think.
 Q What time in November did Amy die? A She died about the first of November.
 Q When did you make the record in the Church-book? A I made the record of Nancy's death the day I heard of it and I made the record of Amy's death also on the day I heard of it.
 Q Did you make the record in the Church-book? A Yes, sir.
 Q How long after ~~the~~ they died before you heard of it? A The same day.
 Q Did you have charge of the church record-book? A I was sort of a secretary of the church and custodian of the book.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 13 day of January, 1905.

[Signature]
 Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wetumka, I. T., January 9, 1905.

SUPPLEMENTAL TESTIMONY in the matter of the application for the enrollment of Nancy and Amy Hill, deceased, as citizens by blood of the Creek Nation.

WILLIE TIGER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Willie Tiger.
Q How old are you? A About thirty.
Q What is your post office address? A Wetumka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Wetumka.
Q Did you know Nancy and Amy Hill, children of Jesse and Louisa Hill? A Yes, sir.
Q They are dead are they? A Yes, sir.
Q Do you know when Nancy died? A She died sometime in 1899.
Q In what time of the year did she die? A In the fall of the year.
Q How old was she at the time of her death? A I think Nancy was about two years old when she died.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Did Nancy die before or after the opening of the Creek Land Office? A She died after the land office opened.
Q Do you know about how long after the opening of the land office it was that she died? A About a year.
Q Was she related to you? A She was my niece.
Q Had any one that you know made selection of land when she died? A I do not think that any one in my neighborhood had made selection of land when she died but people in other parts of the Creek Nation were filling upon their allotments.
Q When did Amy die? A They both died at about the same time.
Q Which died first? A Nancy.
Q How long had Nancy been dead when Amy died? A Less than a month.
Q How old was Amy at the time she died? A About a year old.
Q Were you present when these children died? A I was not present either at their deaths or burial being myself sick at the time.
Q How far did you live from Jesse and Louisa Hill at the time these children died? A I lived about a half mile from their house.
Q Are the parents of these children living? A The mother is dead and the father is in prison.
Q Do you know why the father has not made application for these children? A Because he was a Snake Indian and refused to take his allotment.
Q Are you positive that these two children died before the opening of the land office? A Yes, sir.
Q Do you know any one who would be able to give the Commission definite information regarding these two children? A I do not know of any one outside of myself and John Deere.
Q Do you know whether or not a record was made of the deaths of these two children? A The dates were inscribed in the Church-book and the book has been lost.
Q Do you know who made the records? A I did.
Q Do you know in what month Nancy died? A I think she died in September.
Q In what month did Amy die? A I think Amy died in November.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wetumka, I. T., January 7, 1905.

In the matter of the application for the enrollment of Nancy and Amy Hill, deceased, as citizens by blood of the Creek Nation.

JOHN DEERE, being duly sworn, testified as follows:

Through Alex Posey, Official Interpreter:

BY COMMISSION:

Q What is your name? A John Deere.
Q How old are you? A I am about forty-eight.
Q What is your post office address? A Wetumka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Broken Taffanese.
Q Are you acquainted with Jesse and Louisa Hill? A Yes, sir.
Q Did you know two children of theirs named Nancy and Amy Hill? A Yes, sir.
Q Do you know when these children died? A I cannot give you the exact date of their death but I think they have been dead about five years.
Q Which of the two children died first? A Nancy died first.
Q How old was Nancy at the time of her death? A The child at the time of its death was old enough to walk but it was a sickly child and was not walking.
Q How old was Amy at the time she died? A Amy was about a year old.
Q How much older was Nancy than Amy? A About a year older.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Did these children die before or after the opening of the Creek Land Office? A They died after the opening of the land office.
Q Do you know how long it was after the opening of the land office that they died? A I am not able to state how long after it was but I know that they died after the opening of the land office.
Q How long had Nancy been dead when Amy died? A They died about two weeks apart.
Q Are the parents of these children living? A The mother is dead and the father is now in the penitentiary.
Q Do you know whether or not he made selection of land for himself and family? A He belonged to the Snake Nation and gave himself no concern about making selection of land.
Q Are you positive that these children died after the land office opened? A Yes, sir.
Q Do you know any one who would be able to give the Commission further information about these two children? A I do not know any one except Willie Tiger.
Q Where does he live? A He lives west of here about two miles.
Q Were these children related to you? A I am the uncle of the father of the children. It now occurs to me that John Beecher may also know something about these children.
Q Where does he live? A I think he is living somewhere in Okmulgee town. He was a neighbor of Jesse and Louisa Hill at the time these two children died.

I, D. C. Briggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said hearing on said date.

Subscribed and sworn to before me this
January 12, 1905.
Notary Public.

CR EN 888

CR EN 888

EMPTY

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

St. M. 888

Muskogee, Indian Territory, September 30, 1908.

Robert Suter,

Wetumka, Indian Territory.

Dear Sir:

You are advised that the name of your minor child, Cheatey Suter, deceased, is contained in the partial list of Creek citizens by blood approved by the Secretary of the Interior September 21, 1908, and that selection of lands in the Creek Nation may now be made by his legal representative for the heirs of said

Cheatey Suter, deceased.

Respectfully,

Commissioner.

OR 44 886

Manakoo, Indian Territory, June 15, 1903.

W. A. Mott,

Attorney for the Creek Nation,

Manakoo, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Choctaw Under (deceased) as a citizen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be allowed fifteen days from date hereof within which to file protest against said decision, and if, at the expiration of that time, no protest has been filed, said Choctaw Under (deceased) will be regularly listed for enrollment as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

JYK-15-28

RRP

REPLY IN REPLY TO THE FOLLOWING
D.C. 110.

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON L. AYLESWORTH,
SECRETARY

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

Muskogee, Indian Territory, February 1, 1904.

Wetumpka,

Indian Territory.

Dear Madam:

There are on file with the Commission affidavits executed by you relative to the death of your child, Ghostkey Sader, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case. You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of the death of said child, for the purpose of being examined under oath.

Respectfully,

Commissioner in Charge.

COMMISSION TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR,

--:0:--

In the matter of the application for the enrollment of Ghostkey
Suder, deceased, as a citizen by blood of the Creek Nation.

--: D E C I S I O N :--

The record in this case shows that on September 9, 1901, and
on January 22, 1903, the affidavits of Warlesse, relative to the
death of her minor child, Ghostkey Suder, deceased, were filed
with the Commission at Muskogee, Indian Territory, which said
affidavits are considered by the Commission as an application for
the enrollment of said Ghostkey Suder, deceased, as a citizen by
blood of the Creek Nation.

Further proceedings were had January 22, 1903, January 7,

and January 24, 1905.

It appears from the evidence that said Ghostkey Suder,
deceased, was the minor child of Robert Suder and Warlesse, and
that the names of Robert Suder and Warlesse are contained in the
partial lists of Creek citizens by blood, approved by the Secretary
of the Interior March 13, 1902, and March 28, 1902, Roll Numbers
4006 and 6680, respectively.

The evidence further shows that said Ghostkey Suder, deceased,
was born prior to and died subsequent to April 1, 1899.

It is, therefore, the opinion of the Commission that said
Ghostkey Suder, deceased, should be enrolled as a citizen by blood
of the Creek Nation in accordance with the provisions of the acts
of Congress, June 28, 1898 (30 Stat. 495), and March 1, 1901 (31
Stat. 861), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory,

JUN 14 1905

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of *Chakta*
(Here insert name of deceased.)
a citizen of the *Creek*
Nation, who formerly resided at or near
about halfway to
day of *April*
Ind. Ter., and died on the
(Here insert name of post office.)
1900

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District. *Wattson*
I, *Wallace*
years of age and a citizen, by *Edward*
that my post office address is *Wattson*
(Here insert name of post office.)
of *Chakta*
(Here insert name of deceased.)
who was a citizen, by *Edward*
of the *Creek*
Nation;
on oath state that I am *40*

and that said *Chakta*
(Here insert name of deceased.)
died on the *for*
day of *March*
1900
Witnesses to Marry:
John T. Leonard
(Must be Two Witnesses.)
Subscribed and sworn to before me this 23 day of August 1902
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District. *Wattson*
I, *Wallace*
years of age, and a citizen, by *Edward*
that my post office address is *Wattson*
(Here insert name of post office.)
that I was personally acquainted with *Chakta*
(Here insert name of deceased.)
who was a citizen, by *Edward*
of the *Creek*
Nation;
on oath state that I am *40*

and that said *Chakta*
(Here insert name of deceased.)
died on the *for*
day of *March*
1900
Witnesses to Marry:
John T. Leonard
(Must be Two Witnesses.)
Subscribed and sworn to before me this 23 day of August 1902
Notary Public.

110

IN RE
THE DEATH OF

Christy Jones
a citizen of the

State of
Boston.

Approved.

1

Commissioner.

COMMISSION TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

FILED

James H. Jones

ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the death of Cherokee
(Here insert name of deceased)
a citizen of the Creek Nation, who formerly resided at or near
Wetumpka, Ind. Ter., and died on the 10th day of
April, 1888.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of Wetumpka.

I, Wetumpka, on oath state that I am 48
years of age and a citizen, by blood of the Creek Nation;
that my post office address is Wetumpka, Ind. Ter.; that I am
the mother of Cherokee
(State relationship as the father, an uncle, a cousin, etc.)
who was a citizen, by blood of the Creek Nation;
and that said Cherokee died on the 10th day of
April, 1888.

Witnesses to Mark:
W. A. Dyer
W. A. Dyer

Subscribed and sworn to before me this 10th day of January, 1888.
W. A. Dyer
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of Wetumpka.

I, Joe Buck, on oath state that I am 35
years of age, and a citizen, by blood of the Creek Nation;
that my post office address is Wetumpka, Ind. Ter.;
that I was personally acquainted with Cherokee
(Here insert name of deceased.)
who was a citizen, by blood of the Creek Nation;
and that said Cherokee died on the 10th day of
April, 1888.

Witnesses to Mark:
W. A. Dyer
W. A. Dyer

Subscribed and sworn to before me this 10th day of January, 1888.
W. A. Dyer
Notary Public.

IN RE
THE DEATH OF

Charles J. Jones

a citizen of the

Nation.

Green

190

Approved

Commissioner

COMMISSION TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

FILED

Jan 27 1903

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of
a citizen of the
Nation, who formerly resided at or near
Ind. Ter., and died on the day of
1899.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.
I,
of the
years of age and a citizen, by
that my post office address is
who was a citizen, by
and that said
1899.

Witnesses to Mark:
Must be Two.
Witnesses.
Subscribed and sworn to before me this
day of September, 1901.
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.
I,
of the
years of age, and a citizen, by
that my post office address is
that I was personally acquainted with
who was a citizen, by
and that said
1899.

Witnesses to Mark:
Must be Two.
Witnesses.
Subscribed and sworn to before me this
day of September, 1901.
Notary Public.

OC # 2240
44

32

IN RE
THE DEATH OF

Robert Cooker
a citizen of the

State of

Notion.

Approved.

I

Commissioner.

which prior to Apr. 1st 1886.

COMMISSION TO INQUIRE INTO THE
DEPARTMENT OF THE INTERIOR

FILED

Sept. 8. 1881

ACTING CHAIRMAN

Warless--3.

Q What town does Robert Suder belong to? A Tuckabatchee.
Q If your brother said he died in the Fall is he mistaken? A He must have been mistaken.
Q Is Choctaw a boy or girl? A Boy.
Q Does your brother, John Deere, know when that child died? A He was present when it died.
Q Does your brother, John Deere, know when that child died? A He dates you did not know the year and that is how it came you got them mixed up; is that right? A I suppose that was the cause of it.

Records of the Commission examined and the name of Robert Suder is listed for enrollment on Creek Indian Card 1250 and his name is contained in the partial list of citizens by blood of the Creek Nation, approved by the Secretary of the Interior March 13, 1902, Roll Number 4006.

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I, Vera Ellen Parrish, as stenographer to the Commission of the Five Civilized Tribes, on oath state that the above and foregoing is a full, true and correct transcript of my stenographic notes as taken in said cause.

Vera Ellen Parrish

1902. Subscribed and sworn to before me this 24 day of January,

Combs
Notary Public.

Q In making out these affidavits in which you gave conflicting questions to be asked me and I paid no attention to it. A Afterwards. Q When did your child, Bunny Suder, die? A I did not expect such took sick, lingered some time and died. Q Did the Land Office was open and not long afterwards the child the child died? A A man by the name of Simmons first informed me about how long after the opening of the Land Office was it that Q Did Chotka die the same month that the Land Office opened? A Yes. Q Do you think you heard of the opening of the Land Office the opened? A Yes. Q Did it die the same year in which you heard the Land Office was opened? A Yes. Q Did the child die the same year in which the Land Office was open but I do not know the exact date. Q You say that this child died after the Greek Land Office opened? A Yes. Q You mean that your brother came in and gave testimony about to see about it. Q Tell me it was conflicting and my brother renewed it and I came up is the exact date? A Everytime I made a statement people would of those is correct, or do you know that any one of those three part of April, 1900, and the latter part of April, 1899. Which one for this child's death: Prior to April 1, 1899, about the last Q In three separate affidavits you have given three different dates Q Do you know whether that was the correct date? A Yes. I gave it. Q You gave him? A I supposed that he was putting it down the way Q Do you know whether this date that he put down here is the one Public? A I know Jeff was Notary Public second time. Q Was that affidavit sworn to before Jeff T. Monard, Notary told me that my statement was conflicting and I just dropped it. not make the statement of my own knowledge. Joe Bush, Town King, 1900; is that correct? A I did not know exact date and I could stated that your child, Chotka, died about the last part of April, Q On August 23, 1902, you executed another affidavit in which you Q Where is she buried? A Buried in John Deere's yard. Q Did you put down anywhere in a book the date of death of Chotka then that? A I can not answer that question. Q Do you mean to say that you gave the interpreter a later date gave the statement that I then made. That is all I know. Q You was saying? A When I gave my statement I thought the interpreter child of yours died before April 1, 1899, you did not understand what Q Do you mean to state that if that affidavit stated that this do not know the exact date I gave at that time. Q Did you understand that date when you gave it at that time? A I John Deere, made this last statement. signed and never bothered myself about it any more until my brother, correct? A I was informed that was the kind of affidavit I had Sooder, died prior to the first day of April, 1899; is that September 9, 1901, by a Warless stating that her child, Chotkey Q There is on file with the Commission an affidavit executed this child before a Notary Public? A Yes. Q Do you remember making some affidavits about the death of Q What is his post office address? A He lives up around Yeager.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskegee, Indian Territory.
January 24, 1902.

In the matter of the application for the enrollment of
Chotka Sader, deceased, as a citizen by blood of the Creek Nation.

WITNESSES:

William McGowan, sworn interpreter.
Witness, being duly sworn, testified as follows through

By Commission:
Q What is your name? A Witness.
Q What is your post office address? A Wetumka.
Q To what town do you belong? A Wetumka.
Q How old are you? A Do not know.
Q Witness appears to be about fifty.
Q Did you have a child named Chotka Sader? A Yes.
Q Is it living or dead? A Dead.
Q When did it die? A Died after Land Office was opened but I do
not know the exact time.
Q About how old was it when it died? A About four years old.
Q What was the name of its father? A Sader.
Q Did he have any other names? A Robert Sader.
Q Have you some other children by the same man? A Had other
children by same man.
Q Ioda and Bunny? A Yes.
Q What season of the year did this child, Chotka, die? A In the
Spring sometime.
Q Was it in the early Spring or late Spring? A Early Spring.
Q You say this child died after the Land Office opened, are you
positive of that? A Yes.
Q What time did the Creek Land Office open? A Do not know the
date the Land Office opened.
Q Do you know the year? A No. All I know I heard about the
Land Office being opened.
Q Are you a full blood Creek Indian? A Suppose so, know no
letters or anything to go by.

The records of the Commission examined and it appears
that Witness was listed for enrollment on Creek Indian
Card, Field Number 2184, and that her name is contained in
the partial list of citizens by blood of the Creek Nation,
approved by the Secretary of the Interior March 28, 1902, at
Number 6880. She is listed on that card as a full blood.

Q Was this child, Chotka Sader, living at the time you heard the
Creek Land Office was open? A Living.
Q Is the father of this child a full blood? A Yes.
Q Is he living? A Living.
Q Living with you? A No.

A. 110.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wetumka, I. T., January 7, 1905.

In the matter of the application for the enrollment of Choctaw
Sunder, deceased, as a citizen by blood of the Creek Nation.

JOHN DEERE, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A John Deere.
Q How old are you? A I am about forty-eight.
Q What is your post office address? A Wetumka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Pukkon Tallahassee.
Q Did you know Choctaw Sunder? A Yes, sir.
Q When did he die? A He has been dead between three and four
years but not longer than that. We died at my house and I buried
him.
Q What time of the year was it when he died? A We died in the
early fall.
Q How old was he at the time of his death? A About two years old.
Q The child was able to walk and run about and was active at the time
of its death--he may have been a little over two years of age.
Q What was the name of his mother? A Warlesay.
Q Who was his father? A Sunder.
Q Did the child die before or after the opening of the Creek Land
Office? A The child died after the opening of the land office.
Q How long do you think people had been filling upon their lands when
he died? A I cannot say how long it was after the opening of the
land office but I remember distinctly that citizens were busy filling
upon their allotments.
Q Had you filed upon your land at the time the child died? A I had
not filed upon my land--I was backward. I did not go before the
Commission for the purpose of making selection of land for a long
time.
Q How long has it been since you filed upon your land? A I think
it has been about five years since I filed upon my land.
Q Do you know whether or not a record was made of Choctaw's death?
A I do not know--I made no record myself.

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I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 12 day of January, 1905.

Notary Public.

2 Ghostly Rider.

Q Do you recollect when the Commission was first at Wetumka to en-
quire? A Yes, sir.
Q Do you know how long after that that this Ghostly Rider died?
A No, I don't know.
Q Ghostly was living at that time, was he? A I think he was
living.

Joseph B. Smith

Sworn to before me this 22nd day of January, 1903, at Muskogee,
Indian Territory.

W. A. Doster
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE RIVER CIVILIZED TRIBES.
Muskegee, Ind. Ter., January 22, 1903.

In the matter of the application for the enrollment of Choctaw
Sunder, deceased, as a citizen of the Creek Nation.

Joseph Buck, being first duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION.

Q What is your full name? A Joseph Buck.
Q What is your age? A I don't know.
Q About how old are you? A About thirty-two.
Q Do you hold any official position in the Creek Nation?
A Yes, sir.
Q What official position do you hold in the Creek Nation?
A House of Kings,--Town King.
Q You are a member of the House of Kings? A Yes, sir.
Q Do you know one Warless? A Yes, sir.
Q Is Warless a man or a woman? A A woman.
Q Are you the town king of Wewoka Town? A Yes, sir.
Q Is Warless a member of your town? A Yes, sir.
Q Did she have a child by the name of Choctaw Sunder? A Yes, sir.
Q Do you know when Choctaw Sunder died? A No, I don't know the
date, but it was after the land office opened, I know; that is all
I know; I don't know the date exactly.
Q How old was the child when it died? A I don't know, but it was
my understanding it was pretty near two years old.
Q How do you know that the child died after the land office opened?
A Because I was a member of the House of Kings at that time, and
Bixby was at Okmulgee and he asked me all the names of my town; that
is the reason I know it was after the land office opened.
Q When was it that you had this talk with Mr. Bixby? A I think it
was about the same time that the treaty passed.
Q That is two years after it is reported that Choctaw died?
A Yes, sir.
Q Were you present at the funeral of Choctaw? A No.
Q Do you recollect when you came to Muskegee and filed on your al-
lotment? A I don't know, but pretty near about a year after the
land office opened, I believe, about in April or March.
Q Do you know whether this child was living then or not?
A No, I think not.
Q How long did he die before that time? A Pretty near a year;
about nine months before that, I believe.
Q Do you know when the land office opened? A Yes, sir.
Q You can swear positively that this child, Choctaw, was living
at that time? A Yes, sir; I was a member of the Council at the
time the land office opened.

The records of the Commission examined and it appears
therefrom that Joe Buck filed on his allotment in the
Creek Nation on February 3, 1900.

Q Do you know whether any application was ever made before this
time for the enrollment of Choctaw Sunder? A This is the first
time I know of.

The records of the Commission examined and it appears
therefrom that Choctaw Sunder was enrolled on old Creek
census card No. 2540 under the name of "Choctaw".

CR EN 885

CR EN 885

RESIDENCE: Indian Reservation, Indian Territory POST OFFICE: Indian Territory
 NATION: Roll CARD NO. 3322 FIELD NO. 3322

| Dawes Roll No. | NAME | Relation to Person first named | AGE | SEX | BLOOD | TRIBAL ENROLLMENT | | | TRIBAL ENROLLMENT OF PARENTS | | |
|-------------------|---------------------------|---|-------------|-------------|-------------|-------------------|-----------------------------|------|------------------------------|-------------|-----------------|
| | | | | | | No | District | Year | Name of Father | District | Year |
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Handwritten note:
 On 1892 Indian Roll of 1892
 for this in Indian Territory
 mention of 1 in Indian Roll of 1892

1892/1/101

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

REPLY IN REPLY TO THE FOLLOWING:

CT. No. 885

Maskokee, Indian Territory, September 30, 1905.

Nancy Cowee,

Wetumka, Indian Territory.

Dear Madam:

You are advised that the name of your minor child, Wila Cowee, deceased, is contained in the partial list of Creek citizens by blood approved by the Secretary of the Interior September 21, 1905, and that selection of lands in the Creek Nation may now be made by her legal representative for the heirs of said Wila Cowee, deceased.

Respectfully,

Commissioner.

or 888

Unahogee, Indian Territory, June 15, 1908.

M. I. Holt,
Attorney for the Creek Nation,
Unahogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Miss Towee (deceased) as a citizen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be allowed fifteen days from date hereof within which to file protest against said decision, and if, at the expiration of that time, no protest has been filed, said Miss Towee (deceased) will be regularly listed for enrollment as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

17K-15-8

E.C.G.

En. 885.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

---:0:--

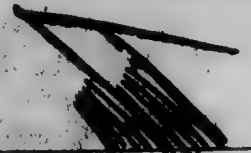
In the matter of the application for the enrollment of Eila Cowee, deceased, as a citizen by blood of the Creek Nation.

---: D E C I S I O N :--

-----:0:-----

The records of the Commission show that Eila Cowee, deceased, was listed for enrollment as a citizen by blood of the Creek Nation, May 24, 1901, on Creek Indian Card, Field No. 3222. Further proceedings were had January 7, and January 9, 1902. The evidence shows that said Eila Cowee is identified on the 1898 Omitted Roll, Tuckabatchee Town, Page 2, and that she died subsequent to April 1, 1898. It is, therefore, the opinion of the Commission that said Eila Cowee, deceased, should be enrolled as a citizen by blood of the Creek Nation, in accordance with the provisions of the acts of Congress, June 28, 1898 (30 Stat., 492) and March 1, 1901 (31 Stat., 861), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.

June 14 1902
Muskogee, Indian Territory.

522

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

No. 885.

--:0:--

In the matter of the application for the enrollment of Ella
Gowse, deceased, as a citizen by blood of the Creek Nation.

SUPPLEMENTAL STATEMENT

The records of the Commission examined and the name of Ella
Gowse is found on the 1895 Omitted Roll, Tukabatchee Town, Page 2.

Commissioner.

C. 3322.---3.

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 13 day of January, 1905.

Wm. H. Skaggs
Notary Public.

Q Did you ever execute an affidavit relative to the death of Ella Cowee? A Yes, sir, my wife, Nancy Cowee, and myself executed an affidavit before the Commission at Wetumka.

NANCY BRUNER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Nancy Bruner. I was formerly known as Nancy Cowee.
Q How old are you? A I do not know my age.

Witness appears to be about thirty-five years of age.

Q What is your post office address? A Wetumka?
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Tuckabatche.
Q Did you have a child named Ella Cowee? A Yes, sir.
Q What was the name of her father? A Major Cowee.
Q Do you know when your daughter, Ella, died? A I do not know when the child died but I was informed by the Commission that the child was entitled to land.
Q When did the Commission tell you that? A When the Commission was at Wetumka enrolling citizens.
Q What time of the year did Ella die? A In the early fall.
Q How old was she at the time of her death? A The child, I think, was about a year old.
Q According to the record presented by your husband the child was about four years old when she died? A I must be mistaken then.
Q Did you ever have any other child named Ella or Ellen? A No, sir.
Q Was the child nursing when she died? A No, sir.
Q Could the child walk and talk? A Yes, sir.
Q Could she run errands? A Yes, sir.
Q Was money drawn for her when the \$14.00 payment was made? A Yes, sir.
Q Do you remember the circumstance of the opening of the Greek Land Office? A Yes, sir.
Q Did Ella die before or after the opening of the land office? A She died after the opening of the land office. She and her brother, John, both died after the opening of the land office.
Q Did you have a record of the birth and death of Ella? A Yes, sir.
Q Who made the record? A Ella Bruner.
Q Did Ella Bruner make the record at your request? A Yes, sir.
Q Did she make the record at the time she was born? A Probably about a month after because I was out of my bed and able to attend to my household duties.
Q When was the record of her death made? A About a week after the child died.
Q Are you and Ella Bruner close neighbors? A She was a close neighbor of mine at the time the record was made but I have since moved away.
Q How long has it been since you moved away? A I do not know.
Q Were you a neighbor of Ella Bruner at the time the Commission was at Wetumka? A I had moved away from there.
Q How long were you and Ella Bruner neighbors? A Ella and I were raised in the same neighborhood and my child was named for her in the reason that I had her make the record of her birth and death.
Q Is Ella Bruner living? A I think so.
Q Where does she live? A She lived with her father but she has married and moved away and I do not know where she is now living.

882

O. 3322.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE RIVE CIVILIZED TRIBES.
Wetumka, I. T., January 9, 1905.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Ella Cowee, deceased, as a citizen by blood of the
Greek Nation.

TAYLOR BRUNER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission: What is your name? A Taylor Bruner.
Q How old are you? A About twenty-eight.
Q What is your post office address? A Wetumka.
Q You have heretofore given testimony in this case have you? A
Yes, sir.
Q You stated in your testimony, given at Wetumka, Indian Territory,
on the 7th of this month, that you had a record of the death of Ella
Cowee, have you that record with you now? A Yes, sir.

The witness presents, for the inspection of the Commission,
a sheet of paper upon which the following writings appear:
"John Cowe Jan 15th 1892."
"John Cowe Died June 20th 1892."
"Ellen Cowe Sept 15th 1892."
"Ellen Cowe Died Sept 20th 1892."

The sheet of paper upon which these entries are written is new
and the writing is in ink and appears fresh.

Q To whom does the entry which reads "Ellen Cowe Sept 15th 1892"
refer? A To Ellen Cowe, who by mistake was enrolled as Ella.
Q Does that entry refer to her birth? A Yes, sir.
Q Who made this record? A The record was made for the mother by a
neighbor.
Q What is his name? A The record was made by Ella Bruner, a
daughter of Pato Bruner.
Q Is this the original record? A The record on that sheet of
paper, which I gave you, was transcribed from the record which she
made.
Q Why did you not bring the original record? A Because the record
was worn to pieces.
Q Upon what was it made? A On a piece of yellow paper.
Q Have you the original record at home? A Yes, sir.
Q This is an exact transcript, is it, of the original record? A
Yes, sir, it is an exact transcript.
Q Did you make this transcript? A Yes, sir.
Q When did you transcribe this from the original record? A Last
night.
Q When did Ella Bruner make the original record? A I do not know
when she made the record.
Q Can you read and write English? A No, sir, I do not read or
write English.
Q Then how did you make this record? A I simply copied it.
Q Can you read and write Greek? A Yes, sir.
Q Can you bring the original record in for the inspection of the
Commission? A It was all to pieces and I doubt whether all the
pieces can now be found.
Q Did you put the pieces together when you made this transcript?
I put them together this way so they fit. (Indicates with his hands
how he put them together)

07 3322.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wetumka, I. T., January 7, 1908.

In the matter of the application for the enrollment of Ella
Cowee, deceased, as a citizen by blood of the Creek Nation.
TAYLOR BRUNER, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

BY COMMISSIONER:
Q What is your name? A Taylor Bruner.
Q How old are you? A Twenty-eight.
Q What is your post office address? A Wetumka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Talmage.
Q Do you know Major and Nancy Cowee? A Yes, sir. Major Cowee is
dead.
Q Did you know a child of theirs named Ella Cowee? A Yes, sir.
Q When did Ella die? A She died in 1899.
Q Do you know in what month? A No, sir.
Q Do you know in what time of the year Ella died? A In the fall of
the year.
Q Do you remember the circumstances of the opening of the Creek
Office? A Yes, sir.
Q Did the child die before or after the opening of the land office?
A The child died after the opening of the land office.
Q How long after the opening of the land office was it that the child
died? A I cannot say how long. I executed an affidavit relative
to the death of the child when the Commission was at Wetumka enroll-
ing Creek Citizens.
Q Are the dates as given in that affidavit correct? A Yes, sir.
Q Where did you get the dates as given in that affidavit? A I took
the dates from a record which I have at home.
Q When did you make the record which you have at home? A I made
the record about a week after the child died.
Q Can you bring that record in for the inspection of the Commission?
A Yes, sir.
Q When can you bring the record in? A I can bring it in Monday.
Q Is the mother of this child living? A Yes, sir, she is now my
wife.
Q How old was this child at the time of its death? A I do not
know--probably about two years old.
Q Could it talk and walk? A Yes, sir.

---00000000---

I, D. C. Skaggs, on oath state that the above and foregoing is
full and true transcript of my stenographic notes as taken in said
cause on said date.
Subscribed and sworn to before me this 13 day of January, 1908.
Notary Public.

CR EN 882

CR EN 882

Gr. No. 884.

Muskogee, Indian Territory, June 28, 1908.

John Baker,

Wesley, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior,
under date of June 14, 1908, affirmed the decision of the Commission
to the Five Civilized Tribes, denying the application for the enroll-
ment of John Chupoo, deceased, as a citizen by blood of the Creek
Nation.

Respectfully,

Chairman.

Cr. No. 884.

Muskogee, Indian Territory, June 28, 1905.

M. D. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

You are hereby advised that the Secretary of the Interior, under date of June 14, 1905, affirmed the decision of the Commission to the Five Civilized Tribes, denying the application for the enrollment of John Chupoo, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

M.M.V.
W.

Acting Commissioner.

C.F. Larabee,

Very respectfully,

decision adverse to the application is recommended.

In view of the record the approval of the Commission's

1899.

The record shows that John Chupko died prior to April 1,

application.

April 20, 1905, the Commission decided adversely to the

the Creek Nation of John Chupko, deceased.

record of the application for enrollment as a citizen by blood of

to the Five Civilized Tribes, dated April 22, 1905, transmitting the

I have the honor to enclose a report from the Commission

Sir:

The Secretary of the Interior.

The Honorable,

WASHINGTON? April 22, 1905.

OFFICE OF INDIAN AFFAIRS,

DEPARTMENT OF THE INTERIOR,

Land: 31907-1908?
Refer in reply to the following:

GR.LIB.IRS.

I.T.D. 4742-1905.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, June 14, 1905.

Commission to the Five Civilized Tribes,
Muskegee, Indian Territory.

Gentlemen:

April 22, 1905, you transmitted the record of the application for the enrollment of John Chupko (deceased) as a citizen by blood of the Creek Nation, including your decision, dated April 20, 1905, denying said application.

April 29, 1905, the Acting Commissioner of Indian Affairs reporting thereon, recommended that your decision denying said application be affirmed. A copy of his letter is inclosed.

The Department concurs in the recommendation made and your decision dated April 20, 1905, denying the application for the enrollment of John Chupko (deceased) as a citizen by blood of the Creek Nation is hereby affirmed.

Respectfully,

(Signed) R.A. Hitchcock,

Secretary.

1 inclosure.

Q. 10.

Gr. No. 884.

Muskogee, Indian Territory, April 22, 1905.

M. L. Hoff,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of John Gump as a citizen by blood of the Creek Nation, denying said application.

The decision with a copy of the proceedings had in the case is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

IX-4-S2-113.

2. 22

Gr. En. 684.

Muskogee, Indian Territory, April 22, 1905.

John Baker,

Wetlocke, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of John Chupco as a citizen by blood of the Creek Nation, denying said application.

The decision with a copy of the proceedings had in the case is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

Register.
IM-4-22-112.

2. 2

Gr. No. 684.

Winnipeg, Indian Territory, April 22, 1905.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of John Chupoo as a citizen by blood of the Creek Nation, including the decision of the Commission, dated April 20, 1905.

Respectfully,

Chairman.

Through the Commission
of Indian Affairs.

IM-4-22-114.

6788

KEEP IN REPLY TO THE FOLLOWING

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

D. C. 23.

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON L. AYLESWORTH,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 23, 1904.

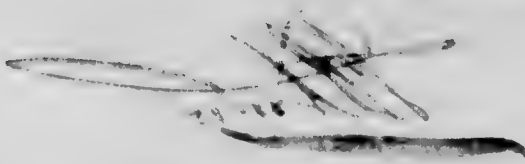
John Baker,

Wetumka, Indian Territory.

Dear Sir:

There is on file with the Commission an affidavit executed by you relative to the death of John Chupko, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case. You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of the death of said John Chupko, for the purpose of being examined under oath.

Respectfully,



Commissioner in Charge.

D. C. 23.

Muskogee, Indian Territory, January 23, 1904.

John Baker,

Wetumka, Indian Territory.

Dear Sir:

There is on file with the Commission an affidavit executed by you relative to the death of John Chupko, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case. You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of the death of said John Chupko, for the purpose of being examined under oath.

Respectfully,

Commissioner in Charge.

K.C.G.

En. 284.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

--:O:--

In the matter of the application for the enrollment of John
Chupko, deceased, as a citizen by blood of the Creek Nation.

--: D E C I S I O N :--

-----:O:-----

The record in this case shows that on March 5, 1902, the affida-
vit of John Baker, relative to the death of John Chupko, was filed
with the Commission at Muskogee, Indian Territory, which said affida-
vit is considered by the Commission as an application for the enroll-
ment of said John Chupko, deceased, as a citizen by blood of the
Creek Nation. Further proceedings were had January 5, 1902.
The evidence shows that said John Chupko, deceased, died prior
to April 1, 1899.
It is, therefore, the opinion of the Commission that there is no
authority of law for the enrollment of said John Chupko, deceased, as
a citizen by blood of the Creek Nation, and that the application for
his enrollment as such should be denied, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory.

APR 20 1902

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wetumpka, I. T., January 8, 1908.

In the matter of the application for the enrollment of John Chupoo, deceased, as a citizen by blood of the Creek Nation.

JOHN BAKER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A John Baker.
Q How old are you? A About forty-nine.
Q What is your post office address? A Wetumpka.
Q Are you a citizen of the Creek Nation? A Yes, sir--a full-blood.
Q To what town do you belong? A Alabama.
Q Did you know a member of your town named John Chupoo? A Yes, sir.
Q How long has he been dead? A I do not know how long he has been dead--only that he has been dead a long time.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Did he die before or after the opening of the Creek Land Office? A He died before.
Q What relation was he to you? A No relation.

MINDY BAKER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A I do not know my age.
Witness appears to be about fifty years old.
Q What is your post office address? A Wetumpka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Alabama.
Q Did you know John Chupoo? A Yes, sir.
Q When did he die? A He died shortly after the \$14.00 Payment. I want to Omission to draw my money and upon my return he was in bed sick and he never recovered from that illness.
Q What relation were you to him? A I am his grandmother.
Q About how long was he sick? A I do not know how long he was sick it has been a long ago. I only remember that he was sick upon my return from Omission and died from that illness.
Q How old was he at the time of his death? A He was about three years old. John Chupoo was not his real name. His real name was Tumash.

-----:0:-----

I, D. C. Jones, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 12 day of January, 1908.

[Signature]
Notary Public.

CR EN 884

CR EN 884

En. 883

Muskogee, Indian Territory, December 6, 1906

M. L. Mott,

National Creek Attorney,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that on November 26, 1906, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes dated June 28, 1906 denying the matter of the application for the enrollment of Dochee, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Acting Commissioner.

454

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

REPLY TO THE FOLLOWING:
No. 883

Muskogee, Indian Territory, December 6, 1906.

Tom Fleet,

Wetumpka, Indian Territory,

Dear Sir:

You are hereby advised that on November 26, 1906,

the Secretary of the Interior affirmed the decision of the

Commissioner to the Five Civilized Tribes dated June 28, 1906

denying the matter of the application for the enrollment of

Doane, deceased, as a citizen by blood of the Creek Nation.

Respectfully,



Acting Commissioner.

Register

No. 883

Muskogee, Indian Territory, December 6, 1906.

John Baker,

Wesley, Indian Territory,

Dear Sir:

You are hereby advised that on November 26, 1906, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes dated June 28, 1906 denying the matter of the application for the enrollment of ~~Dodchee~~, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Acting Commissioner.

Register.

Through the Commissioner
of Indian Affairs.

1 inc. and 2 to Ind. Of.

First Assistant Secretary.

(signed) Thos Ryan

Respectfully,

The papers in the case have been sent to the Indian Office for
station is hereby affirmed.
The Department concurs in said recommendation, and your de-
inclosed.

Reporting November 21, 1906 (Land 38840), the Indian Office
recommended that your decision be approved. A copy of its letter is
adverse to the applicant.
blood of the Creek Nation, including your decision dated June 28, 1906,
application for the enrollment of Dohee, deceased, as a citizen by
July 2, 1906, you transmitted the record in the matter of the
Sir:

Muskogee, Indian Territory.

Commissioner to the Five Civilized Tribes,

Srs

I.T.D. 23364-1906.

WASHINGTON.

DEPARTMENT OF THE INTERIOR,

LHB

J.P.

November 26, 1906.

A. J. W. - WJ

Acting Commissioner.

Very respectfully,
C. F. Larrabee,

denying the application be approved.
April 1, 1899, it is recommended that the decision of the Commissioner
it being shown conclusively that the applicant died prior to
1898, Dochee "finished her days".
the grave and thereof an inscription to the effect that on March 30,
specimen of the grave-house in which she was interred, disclosed on
old at the time of her death, which occurred on March 30, 1898. An in-
testimony clearly establishes the fact that Dochee was about 20 years
Hearings were had on January 6, 1902, and March 29, 1906. The

Commissioner as an application for enrollment as a Greek citizen by
blood, who died on March 15, 1902. This affidavit is considered by the
S, 1902, alleging that she is the aunt of Dochee, a Greek citizen by
Affidavit was filed with the Commission by Nechee Sleep on April
citizen of the Greek Nation.
the matter of the application of Dochee, deceased, for enrollment as a
of Commissioner Bixby, dated July 2, 1906, together with the record in
There is inclosed herewith for Departmental consideration report

Sir:

The Secretary of the Interior.
The Honorable,

WASHINGTON. November 21, 1906.
OFFICE OF INDIAN AFFAIRS,
DEPARTMENT OF THE INTERIOR.

Refer in reply to the following:

56640-1906?
Land

Copy

OT.M.883.

Mankees, Indian Territory, July 2, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Doohoe, deceased, as a citizen by blood of the Creek Nation, including the decision of the Commissioner, dated June 28, 1906.

Respectfully,

Commissioner.

IM-135.

Through the
Commissioner of Indian Affairs.

Cr. En. 883.

Munawase, Indian Territory, July 2, 1906.

Tom Sleep,

Wetumka, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Dochee, deceased, as a citizen by blood of the Creek Nation, denying said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

Register.
(10) 101..

Cr. No. 883.

Muskogee, Indian Territory, July 2, 1906.

M. L. Hoff,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Dohee, deceased, as a citizen by blood of the Creek Nation, denying said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

IM-100

1 inclosure.

Through the Commissioner
of Indian Affairs.

First Assistant Secretary.

Respectfully,

1905.

dictation of the case directed in departmental letter of December 7,
with for use in connection with the further investigation and readju-
in the Creek enrollment case of Dochee (deceased) is inclosed here-
In compliance with your request of December 15, 1905, the record

Sir:

Muskogee, Indian Territory.

Commissioner to the Five Civilized Tribes,

MRS.

I.T.D. 17850-1905.
2198-

DEPARTMENT OF THE INTERIOR,
Washington,
January 2, 1906.

J.W.H.

Or En 883

Muskogee, Indian Territory, December 12, 1906.

M. L. Mott,

Attorney for the Creek Nation.

Muskogee, Indian Territory.

Sir:

Under date of December 7, 1906, the Secretary of the Interior
recommended for further investigation and readjustment the matter
of the application for the enrollment of Doobie (deceased) as a
citizen by blood of the Creek Nation.
You are hereby notified that said case has been set for re-
hearing January 10, 1907, at the office of the Commissioner to
the Five Civilized Tribes, in Muskogee, Indian Territory.

Respectfully,

Commissioner.

En 883

Manokoe, Indian Territory, December 15, 1906.

Johnson Harjo.

Wetumka, Indian Territory.

Dear Sir:

Under date of December 7, 1906, the Secretary of the Interior

remanded for further investigation and reexamination the matter

of the application for the enrollment of Dohee (deceased) as a

citizen by blood of the Creek Nation.

You are hereby notified that said case has been set for re-

hearing January 10, 1907, at the office of the Commissioner to the

Five Civilized Tribes, in Manokoe, Indian Territory.

Respectfully,

Commissioner.

Respecter.

Cr En 883

Muskogee, Indian Territory, December 16, 1906.

John Baker,

Wetumka, Indian Territory.

Dear Sir:

Under date of December 7, 1906, the Secretary of the Interior

transmitted for further investigation and recommendation the matter

of the application for the enrollment of Doohoe (deceased) as a

citizen by blood of the Creek Nation.

You are hereby notified that said case has been set for re-

hearing January 10, 1907, at the office of the Commissioner to

the Five Civilized Tribes, in Muskogee, Indian Territory.

Respectfully,

Commissioner.

Or En 883

Wapogee, Indian Territory, December 15, 1905.

Wapogee Sioux.

Wapogee, Indian Territory.

Dear Sir:

Under date of December 7, 1905, the Secretary of the Interior
remanded for further investigation and rejudication the matter
of the application for the enrollment of Doohoe (deceased) as a
citizen by blood of the Creek Nation.

You are hereby notified that said case has been set for
rehearing January 10, 1906, at the office of the Commissioner to the
Five Civilized Tribes, at Wapogee, Indian Territory.

Respectfully,

Commissioner.

✓
OR IN 803

Manhokee, Indian Territory, December 16, 1908.

The Honorable,

The Secretary of the Interior.

Sir:

December 7, 1908 (I.T.D. 8132-1908). The Department forwarded for further investigation and recommendation the matter of the application for the enrollment of Deches (deceased) as a citizen by blood of the Creek Nation. I have the honor to respectfully request that the record in said case be returned for use in connection with the further investigation and recommendation of the same. Respectfully,

Commissioner.

Through the
Commissioner of Indian Affairs.

1 inclosure
Commissioner of Indian Affairs
Through the

First Assistant Secretary
Thos Ryan
Respectfully,

action is directed.
Tribes is hereby set aside and further investigation and readjustment is directed.
The decision of the Commission to the Five Civilized Tribes is hereby set aside and further investigation and readjustment is directed.
preparation incident thereto.
opportunity to be heard, and reasonable time for the necessary
care should be taken that all the parties in interest be given
various hearings which may be necessary to secure this information
as nearly as possible, the exact date of Dochee's death. At the
concludes that further investigation should be made to ascertain,
Upon consideration of the whole matter, the Department

records should be consolidated.

Under the circumstances it is not deemed advisable that the two

Yaholgee, or that they were in any way concerned therewith.

of Dochee were present when the testimony was taken concerning
The record contains no evidence whatever that the heirs

of the Creek Nation.

tion for the enrollment of one Yaholgee, deceased, as a citizen
in this case a copy of the testimony in the matter of the applica-
As the Commission states, there was attached to the record

this effect is ex parte.

is correct, she is entitled to enrollment. Testimony, however, to

said Dochee died on the 15th day of March, 1902. If this statement

The two affidavits referred to above, recited that the

advised to be present at the hearing.

Sahachee Sleep, who was an aunt of Dochee, she should have been
mony was taken at Wetumka, which was also the residence of the said

way represented at the hearing. It would seem that as the testi-

at the taking of their testimony, or that said heirs were in any

in the record to suggest that the heirs of Dochee were present

of these two witnesses was taken in the field. There is nothing

DEPARTMENT OF THE INTERIOR,
WASHINGTON. December 7, 1905.

I.T.D. 5198-1905
JRS

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JWH

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

On April 24, 1905, the Commission to the Five Civilized Tribes transmitted the record of proceedings in the matter of the application for the enrollment of Dohee, deceased, as a citizen by blood of the Creek Nation, with its decision dated April 20, 1905, rejecting said application.

Reporting in the matter May 5, 1905, the Indian Office recommended that the Commission's decision be approved. A copy of its letter is inclosed.

The Department finds that the record proper consists of the testimony of John Baker and Wiley Harjo or Baker, taken at Wetumka, Ind. T., January 6, 1905, and of the affidavits of Johnson Harjo and Sanechee Sleep, dated April 18, 1902. Concerning these affidavits, it is noted that they were also residents of Wetumka, where their affidavits were executed, and that the latter is an aunt of the said Dohee, whose enrollment is now under consideration.

From the testimony of the first two witnesses named above it appears that the said Dohee died prior to the opening of the land office in the Creek Nation, which would, according to the Department's understanding of the matter, fix the date of her death as being prior to April 1, 1899. Apparently, the testimony

MMW
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Very respectfully,
C. E. Larabee
Acting Commissioner.

decision adverse to the application is recommended.

In view of the record the approval of the Commission's

The record shows that Dochee died prior to April 1, 1899.

application.

April 20, 1905, the Commission decided adversely to the

of the Creek Nation of Dochee, deceased.

the record of the application for enrollment as a citizen by blood

to the Five Civilized Tribes, dated April 24, 1905, transmitting

I have the honor to enclose a report from the Commission

Sir:

The Secretary of the Interior.

The Honorable,

WASHINGTON, May 5, 1905.
OFFICE OF INDIAN AFFAIRS,
DEPARTMENT OF THE INTERIOR,

32337-1905.
Land.

Refer in reply to the following:

8.0.

Creek No. 683.

Waukegon, Indian Territory, April 24, 1905.

John Baker,

Wesley, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Dochee, deceased, as a citizen by blood of the Creek Nation, denying said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

James B. Bixby,
Chairman.

Register.

KRP-4-24-8.

2. 2.

Greek No. 883.

Muskogee, Indian Territory, April 24, 1908.

M. I. Mott,
Attorney for Creek Nation,
Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Doehoe, deceased, as a citizen by blood of the Creek Nation. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

JAMES B. BERRY
Chairman.

ENT-4-24-9.

Q. 11.

Creek No. 633.

Waukegan, Indian Territory, April 24, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings

in the matter of the application for the enrollment of Doohoe,
deceased, as a citizen by blood of the Creek Nation, including
the decision of the Commission, dated April 20, 1905.

Respectfully,

Chairman.

Through the

Commissioner of Indian Affairs.

KRP-4-24-10.

I.S.N.

Crack No. 883.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment
of Doohoe, deceased, as a citizen by blood of the Creek Nation.

D E C I S I O N .

The record in this case shows that on April 18, 1902, there was filed with the Commission to the Five Civilized Tribes, in Muskogee, Indian Territory, an affidavit in the matter of the death of Doohoe, which said affidavit is considered in the nature of an application for the enrollment of said Doohoe, deceased, as a citizen by blood of the Creek Nation. Further proceedings were had January 6, 1905, and March 29, 1906. The evidence in this case is contradictory as to the date of death of Doohoe, but the weight of evidence establishes such date as March 30, 1908. It is, therefore, ordered and adjudged that there is no authority of law for the enrollment of said Doohoe, deceased, as a citizen by blood of the Creek Nation, and the application for her enrollment as such is accordingly denied.

Commissioner.

Muskogee, Indian Territory.

JUN 28 1906

E.C.G.

COMMISSION TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

No. 883.

--:0:--

In the matter of the application for the enrollment of Dochee,
deceased, as a citizen by blood of the Creek Nation.

--: D E C I S I O N :--

The record in this case shows that on April 18, 1902, the affidavit of Sashone Sheep, relative to the death of Dochee, was filed with the Commission at Muskogee, Indian Territory, which said affidavit is considered by the Commission as an application for the enrollment of said Dochee, deceased, as a citizen by blood of the Creek Nation. Further proceedings were had January 6, 1902. A copy of the testimony in the matter of the application for the enrollment of Yaholgee, deceased, as a citizen of the Creek Nation, Greek Enrollment No. 816, is made part of the record herein. The evidence shows that said Dochee, deceased, died prior to April 1, 1892. It is, therefore, the opinion of the Commission that there is no authority of law for the enrollment of said Dochee, deceased, as a citizen by blood of the Creek Nation, and that the application for her enrollment as such, should be denied, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

APR 20 1902

correct. I can't call the years. When was that record made and by whom? A The record was made by Josie Yabala as soon as the grave house was finished, which was on the day following her burial.

Q There is on file in the office of the Commissioner an affidavit executed by you and Johnson Harris, on April 18, 1902, stating that Dochee died March 15, 1902. How do you explain the discrepancy in the dates? A I did not know the date of her death at the time I signed the affidavit and I signed the affidavit on what other people said.

Q Who determined the date as given in the affidavit? A Tom Farmer, who is now dead.

Q That date, then, is not correct, is it? A No, sir. Q Do you remember the circumstance of the opening of the Greek land office? A I remember hearing people talk about going to file but do not remember the year or month.

Q Was Dochee living at that time? A Not knowing when the land office opened, I cannot say.

Q Had any one that you know made selection of land at the time she died? A No, sir, I do not. People in this neighborhood did not begin filing for a long time after the land office opened.

Q The record which your husband has of the death of Dochee shows that she died March 30, 1902. Is that correct? A Yes, sir.

The grave of Dochee is visited and on the grave end of the grave-house is found a record written in the Greek language, which is translated by the official interpreter as follows: "On the 30th day of Little Spring (March) in 1902, Tooe, so named, finished her days." "Tooe", the interpreter explains, is the way Dochee is written in Greek, and is pronounced To-oh.

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I, J. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

J. C. Skaggs

Subscribed and sworn to before me this 5 day of April, 1906.

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Wetumpka, I. T., March 28, 1908.

In the matter of the application for the enrollment of Doonee,
deceased, as a citizen by blood of the Creek Nation.

TOM SLEEP, being duly sworn, testified as follows:

Through Alex Posey official interpreter:

BY THE COMMISSIONER:

Q What is your name? A Tom Sleep.
Q How old are you? A Twenty-eight.
Q What is your post office address? A Wetumpka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Alabama.
Q Did you know Doonee? A Yes, sir.
Q Was she a relative of yours? A No, sir.
Q Did she belong to your town? A Yes, sir.
Q Do you know when she died? A She died March 30.
Q In what year? A 1898.
Q How do you fix the date of her death? A By a record which I
have here.

Witness presents a daybook, containing various accounts
and records, in which the following entry, in the Creek language
is found: "On the 30th day of the Little Spring (March) in
1898 Doonee, no named, finished her days."

Q When did you make this record? A I transcribed this from the
record on the head-board of her grave quite a while ago.
Q Do you know who made the record on the head-board of her grave?
A Louis Yehol.
Q Does the head-board still show this record? A Yes, sir. The
record is written on the right end of the grave house instead of
the head-board and the writing was plain the last time I saw it.
Q Where is Doonee buried? A On the river near the railroad bridge.
Q Do you know Johnson Harjo? A Yes, sir.
Q Do you know Bahchoe Sleep? A Yes, sir, she is my wife.
Q Johnson Harjo and Bahchoe Sleep executed an affidavit, April 18,
1902, in which the date of the death of Doonee is given as March 18,
1902? A That is evidently a mistake.
Q Do you remember the circumstances of the opening of the Creek Land
Office? A Yes, sir.
Q Was Doonee living at that time? A No, sir, she was dead.

BAHCHOE SLEEP, being duly sworn, testified as follows:

Through Alex Posey official interpreter:

BY THE COMMISSIONER:

Q What is your name? A Bahchoe Sleep. My proper name is simply
Bahchoe.
Q How old are you? A About thirty-five.
Q What is your post office? A Wetumpka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Quasatta No. 2.
Q Were you acquainted with Doonee? A Yes, sir. I am her aunt.
Q Do you know when she died? A I do not know but my husband has a
record which shows she died and the date as given in the record is

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE RIVER CIVILIZED TRIBES.
Wetumpka, I. T., January 6, 1903.

In the matter of the application for the enrollment of Dochee,
deceased, as a citizen by blood of the Creek Nation.

JOHN BAKER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A John Baker.
Q How old are you? A About forty-nine.
Q What is your post office address? A Wetumpka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Alabama.
Q Did you know a member of your town named Dochee? A Yes, sir. I
was well acquainted with her. She was a fine dancer and a magnificent
woman. There has not been such a good looking woman in Alabama town
since she died.
Q When did she die? A I do not know the exact date of her death--
only that she died before the land office opened.
Q How long before the land office opened was it that she died? A
According to my best recollection she died between three and four
months prior to the opening of the land office.
Q Are you positive that she was not living when the land office
opened? A Yes, sir.
Q How old was she at the time of her death? A She was about twenty-
eight years old.
Q Was she married? A Yes, sir.
Q Who was her husband? A Sam Harjo.
Q Is he living? A He is dead.
Q Did she have any children? A No, sir.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
examine on said date.

Subscribed and sworn to before me this 13th day of January, 1903.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wetumpka, I. T., January 6, 1905.

In the matter of the application for the enrollment of Yahoogee,
deceased, as a citizen by blood of the Creek Nation.

WILEY HARJO, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Wiley Harjo, but I think I was enrolled by
the Commission as Wiley Baker.
Q How old are you? A About twenty-one.
Q What is your post office address? A Weleetka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Alabama.
Q Did you know Yahoogee? A Yes, sir.
Q What relation was he to you? A He was my brother.
Q When did he die? A He died in 1898.
Q Do you know in what month he died? A 1898, December the 11th.
Q Was there a record made of his death? A I think not.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Did he die before or after the opening of the land office? A He
died before the land office opened.
Q How old was Yahoogee at the time of his death? A He was about
thirty-five years old.

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I, D. C. Skaggs, on oath state that the above and foregoing
is a full and true transcript of my stenographic notes as taken in
said cause on said date.

Subscribed and sworn to before me this 16 day of January, 1905.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
WHEATKA, I. T., JANUARY 2, 1905.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Yalohogee, deceased, as a citizen by blood of the Creek
Nation.

DORSEY HARLO, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

Q By Commission:
Q What is your name? A Dorsey Harlo.
Q How old are you? A Twenty-three.
Q What is your post office address? A Wheatka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Alabama.
Q Did you know Yalohogee? A He was my brother.
Q How long has he been dead? A I think he has been dead about four
years.
Q Did you execute an affidavit before the Commission relative to
his death? A Yes, sir.
Q Is the date of his death as given in that affidavit correct? A
Yes, sir.
Q Where did you get the date as given in that affidavit? A I simply
remembered the date of his death when I executed the affidavit.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Did Yalohogee die before or after the opening of the Creek Land
Office? A He died after the opening of the land office.
Q Are you positive that he died after the opening of the land office?
A Yes, sir.
Q Do you know in what month he died? A He died in December.
Q In what year? A 1899. He was at a drunken brawl on a
Sunday the tenth of December--he died that night at about nine o'clock
and we buried him on the evening of the fifth.

I, D. C. Skaggs, on oath state that the above and foregoing is a
true and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 12 day of January, 1905.

[Signature]
Notary Public.

DA. 127.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklmulgee, I. T., October 17, 1904.

In the matter of the application for the enrollment of Yahola-
see, deceased, as a citizen by blood of the Creek Nation.

JOHN BAKER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A John Baker.
Q How old are you? A Forty-eight.
Q What is your post office address? A Weleetka.
Q Do you know Yaholagee? A Yes, sir.
Q When did he die? A Before the land office opened.
Q Were you present when he died? A He was a step-son of mine. He
was staked in a drunken brawl. I met him on the road and took him
home and he died that night. It was before the land office opened.
Q Is he kin to Dorsey Harjo? A Brother.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a true and complete transcript of my stenographic notes as taken in
said cause on said date.

Subscribed and sworn to before me this 16 day of January, 1905.

Notary Public.

DA. 127.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklmulgee, I. T., October 17, 1904.

In the matter of the application for the enrollment of Yeholag-
gee, deceased, as a citizen by blood of the Creek Nation.

JOHN BAKER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A John Baker.
Q How old are you? A Forty-eight.
Q What is your post office address? A Weleetka.
Q Do you know Yeholaggee? A Yes, sir.
Q When did he die? A Before the land office opened.
Q Were you present when he died? A He was a step-son of mine. He
was staked in a drunken brawl. I met him on the road and took him
home and he died that night. It was before the land office opened.
Q Is he kin to Dorsey Harjo? A Brother.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a true and complete transcript of my stenographic notes as taken in
said cause on said date.

Subscribed and sworn to before me this 16 day of January, 1905.

Notary Public.

En. 816.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE RIVER CIVILIZED TRIBES.
Wetumpka, I. T., January 6, 1905.

In the matter of the application for the enrollment of Yahoossee,
deceased, as a citizen by blood of the Creek Nation.

WILLY HARLO, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Willy Harlo, but I think I was enrolled by
the Commission as Willy Baker.
Q How old are you? A About twenty-one.
Q What is your post office address? A Wetumpka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Alabama.
Q Did you know Yahoossee? A Yes, sir.
Q What relation was he to you? A He was my brother.
Q When did he die? A He died in 1898.
Q Do you know in what month he died? A 1898, December the fifth.
Q Was there a record made of his death? A I think not.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Did he die before or after the opening of the land office? A He
died before the land office opened.
Q How old was Yahoossee at the time of his death? A He was about
thirty-five years old.

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I, D. C. Skaggs, on oath state that the above and foregoing
is a full and true transcript of my stenographic notes as taken in
said cause on said date.
Subscribed and sworn to before me this 16 day of January, 1905.

D. C. Skaggs
Notary Public.

CR EN 883

CR EN 883

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En. 882

Muskogee, Indian Territory, January 10, 1907

Eliza Hickman,

Wetumka, Indian Territory,

Dear Madam:

You are hereby advised that on January 2, 1907, the
Secretary of the Interior approved the decision of the
Commissioner to the Five Civilized Tribes denying the
application for the enrollment of Sulphohene, deceased,
as a citizen by blood of the Creek Nation.
Respectfully,

Commissioner.

No. 882

Muskogee, Indian Territory, January 10, 1907.

Jennie Johnson,

Okemah, Indian Territory,

Dear Madam:

You are hereby advised that on January 2, 1907, the Secretary of the Interior approved the decision of the Commissioner to the Five Civilized Tribes denying the application for the enrollment of Sulphohoe, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Commissioner.

No. 882

Muskogee, Indian Territory, January 10, 1907.

M. L. Mott,

Attorney for Creek Nation.

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that on January 8, 1907, the Secretary of the Interior approved the decision of the Commissioner to the Five Civilized Tribes denying the application for the enrollment of Sulphoches, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Commissioner.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

December 24, 1906.

LAND.
56647-1906

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from the Commissioner to the

Five Civilized Tribes, dated June 30, 1906, transmitting the

record relative to the application of Sulphochee, deceased,

for enrollment as a citizen of the Creek Nation.

On June 10, 1902, an affidavit was filed with the

Commission to the Five Civilized Tribes in reference to the

death of Sulphochee which affidavit is considered as an

application for his enrollment as a citizen by blood.

Further proceedings were had on January 4, February 21, and

March 6, 1905.

On June 28, 1906, the Commissioner held that the applicant

was not entitled to such enrollment. A preponderance of

the evidence established the fact that the applicant died prior

to April 1, 1899.

A copy of the report of the Commission dated June 4, 1905,

in the enrollment case of Molly Fixico, et al., is with the

record. In view of Sec. 28, of the Act of March 1, 1901,

(31 Stat. L., 861), the decision of the Commissioner adverse

to the applicant is recommended for approval.

Very Respectfully,
Acting Commissioner

H. R. D.
S. P. V.

(COPY)

J.P.

WASHINGTON.
DEPARTMENT OF THE INTERIOR,
LIB.

January 2, 1907.

I.T.D. 25898-1906.

I.R.S.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

June 30, 1906, you transmitted the record in the matter of the application for the enrollment of Sulphochee, deceased, as a citizen by blood of the Creek Nation, including your decision dated June 28, 1906, adverse to the applicant. Reporting December 24, 1906 (Land 56647), the Indian Office recommended that your decision be approved. A copy of its letter is inclosed. The Department concurs in said recommendation, and your decision is hereby affirmed. The papers in the case have been sent to the Indian Office for its files.

Respectfully,

(Signed) Thos. Ryan.

First Assistant Secretary.

Through the Commissioner
of Indian Affairs.

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DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

REPLY IN REPLY TO THE FOLLOWING:
.....
Cr. No. 882.
.....

Muskogee, Indian Territory, June 20, 1906.

Tennie Thompson,
Okemah, Indian Territory.

Dear Madam:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of your minor child, Sulphoches Fixico, deceased, as a citizen by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,


Commissioner.

Register.
IM-115.

Cr. No. 888.

Manikago, Indian Territory, June 30, 1906.

M. I. Mott,

Attorney for Creek Nation,
Manikago, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Sulphurhead, deceased, as a citizen by blood of the Creek Nation, denying said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,


Commissioner.

IM-116.

OT. 11. 532.

Managers, Indian Territory, June 20, 1900.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Shipchook, deceased, as a citizen by blood of the Creek Nation, including the decision of the Commissioner, dated June 28, 1900.

Respectfully,

Commissioner.

IX-117.

Through the
Commissioner of Indian Affairs.

288

REPLY IN REPLY TO THE FOLLOWING
D. C. 112.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON L. ALLEN, SECRETARY.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
ADDRESS ONLY THE

Muskogee, Indian Territory, February 1, 1904.

Linney Johnson,

Wetumka, Indian Territory.

Dear Madam:

There is on file with the Commission an affidavit relative to the death of your daughter, Sulphogee, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case. You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of the death of said child, for the purpose of being examined under oath.

Respectfully,



Commissioner in Charge.

REFER IN REPLY TO THE FOLLOWING

D. C. 112.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

COMMISSIONERS
TAMM BIRBY,
THOMAS B. NEEDLES,
C. R. BRACKINRIDGE,
W. E. STANLEY.

ALLISON I. AYLESWORTH,
SECRETARY.

Muskogee, Indian Territory, February 1, 1904.

Finney Johnson,

Wetumka, Indian Territory.

Dear Madam:

There is on file with the Commission an affidavit relative

to the death of your daughter, Sulphogee, who, it is claimed, is
entitled to enrollment as a citizen of the Creek Nation. It is de-
sired that further evidence be submitted in the case.

You are therefore required to appear before the Commission
at its office in Muskogee, Indian Territory, with two witnesses who
know the date of the death of said child, for the purpose of being
examined under oath.

Respectfully,

Commissioner in Charge.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment
of Sulphohoe, deceased, as a citizen by blood of the Creek
Nation.

DECISION.

The record in this case shows that on June 10, 1902,
there was filed with this office an affidavit in the matter of
the death of Sulphohoe, which said affidavit is considered in
the nature of an application for his enrollment as a citizen
by blood of the Creek Nation. Further proceedings were had
January 4, February 21 and March 6, 1902. Copy of transcript
of proceedings had November 24, 1902, in the matter of account-
ing for persons whose names appear on Creek tribal rolls and who
died prior to April 1, 1899, also copy of testimony taken
March 14, 1902, in the matter of establishing the dates on
which certain ball games were played by representatives of the
towns of Arkona and Artnase, are attached to and made part of
the record hereto.

The evidence in this case is contradictory as to the
date of death of Sulphohoe but the weight of evidence shows
that said applicant died in the month of August, 1898, at the
time the Arkona and Artnase had a big ball game near
Hickory Ground; that he died before the smallpox epidemic
which occurred in the western part of the Creek Nation begin-
ning in the winter of 1898 and ending in the spring of 1899.
(See report of Commission under date of June 14, 1902 in the
matter of the right to enrollment as citizens of the Creek Na-
tion of Moly Pico, et al., copy of which is attached to and
made part of the record in this case); and prior to the death
of Bowelake (or Schewelake), who died before the opening of
the Creek Land Office, and consequently established the date
of death of Sulphohoe as prior to April 1, 1899.
It is, therefore, ordered and adjudged that there
is no authority of law for the enrollment of said Sulphohoe,
deceased, as a citizen by blood of the Creek Nation and the
application for his enrollment as such is accordingly denied.

Arkona, Indian Territory.

JUN 28 1902

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskegee, Indian Territory, March 14, 1906.

In the matter of establishing the date on which
certain ball games were played by representatives of the
Arpikans and Arpikans in the Creek Nation.

Jesse McDermott, being duly sworn, testified as
follows:

Q State your name, age and post office address? A Jesse
McDermott, aged 26 years, post office, Muskegee.
Q Can you inform the Commission as to the date on which occurred
the last ball game between the Arpikans and Arpikans? A Yes, sir.
The game was played in the month of August 1898.
Q Is there anything you can state upon which you base that
statement? A I want to state that the very same year,
just prior to the closing of the store I was given a new saddle,
the first one I had ever owned in my life.
Q Are you acquainted with any of the players in this game?
referred to? A Yes, sir. I am acquainted with a number of
players on both sides who played at that time.
Q On what day was this last game as you state played? A I am
not certain but I believe it was on a Saturday.
Q Do you know what month? A Some time in August.
Q Of what year? A 1898.
Q Do you know of any other games played by representatives of
these towns since then? A No, sir.
Q You would know whether such games had been played would you as
you are a ball player yourself and keep track of games between
Greek Indians? A Yes, sir.
Q Do you know of any games played prior to that time? A There
was a game played by these two towns in 1895 on what is called
the Bear prairie which is about nine miles from where I lived
at that time. The reason I know the game was played in 1895
my step father played in the game and he was killed March 6,
1896.
Q Was there any game played between representatives of these
towns in the year 1899 that you know of? A No, sir.
Q How far did you live in 1898 and 1899 from the grounds on which
these games were accustomed to be played? A About 12 miles.
Q Indians who attended these games would often come from a
considerable distance would they? A I have known Indians to
come as much as 45 miles to a ball game and even farther.

I, Anna Garrison, on oath state that the above and foregoing
is a true and correct transcript of my stenographic notes as
taken on said date in said matter.

Anna Garrison

Subscribed and sworn to before
me this 15 day of March 1906.

Notary Public

Q Do you know whether or not Cowee Harjo made selection of land for himself before he died? A I do not know but I suppose he did as he took the land in the matter and advised his people to take their allotments.

Q Do you remember the amount \$14.00 Payments? A Yes, sir, I remember the circumstance very well because my creditors got all that was coming to me except one dollar.

Q How long after that was it that your child was born? A Quite a while afterwards. I do not know how many years afterwards.

Q Have you made selection of land for yourself? A Yes, sir.

Q When did you make selection of land? A A long time ago.

Q Was your child living at the time you filed on your land? A It was dead.

Q How long had he been dead? A I do not know. I thought at the time I filed on my land that it was no use to make application for the child because it was dead.

Q How long was it after Cowee Harjo advised his people to file on their land that you made selection of land for yourself? A Some little time afterwards. I do not know how long. I only remember of going to Muskogee and filing on my land.

Q Was Cowee Harjo dead at that time? A Yes, sir.

Q How long had he been dead? A Perhaps over a year.

Q Did he die before your child died? A Yes, sir, he died first.

Q When did Cowee Harjo die? A He died shortly after coming back from Washington.

Q Was that before or after the small-box appeared in this part of the country? A It was before.

Q Was there a record made of the child's birth and death? A No, sir.

Q Would you like to know when the child was born and when it died? A He ought to know.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 12th day of May, 1908.

Henry A. Davis
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Castle, I. T., March 6, 1908.

In the matter of the application for the enrollment of Sulphoon
deceased, as a citizen by blood of the Creek Nation.
JENNIE THOMPSON, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Jennie Thompson.
Q How old are you? A I do not know my age.

Witness appears to be about thirty.

Q What is your post office address? A Okemah.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Wewoka.
Q Did you have a child that died named Sulphoon? A Yes, sir, the
child's full name was Sulphoon Wixico. His father was Wiley
Wixico.
Q Was Wiley Wixico your husband at the time the child was born? A
Yes, sir, we have since separated and he is now married to another
woman.
Q Where does he live? A At last accounts he was living about
a mile from Wewoka.
Q Do you know when your child Sulphoon died? A The child died
in October but I do not remember the day nor the year.
Q How many years has it been since he died? A The child has been
dead a long time perhaps six years.
Q How old was he at the time of his death? A About a year old.
Q When was the child born? A The child was born in March.
Q Do you know what time in March? A The child was born on Sunday
night in that month.
Q Was it the first Sunday or the last Sunday in March? A The
first Sunday in March.
Q Do you know in what year? A No, sir.
Q Do you remember the circumstances of the opening of the Creek
Land Office? A Yes, sir.
Q Was the child born before or after the opening of the Creek Land
Office? A The child was born after the land office opened.
Q What time it in your mind that it was after the land office
opened that the child was born? A Because the Creek Delegation had
just returned from Washington and notified the people that a treaty
had been made providing for allotment. Cowas Harte was one of the
Delegation.
Q Had people begun making actual selection of land at the time your
child was born? A I think allotmentmen had begun because Cowas
Harte was at that time notifying his townmen to take their allot-
ments.
Q Did the child die in the same year it was born? A No, sir, the
child died in October the next year.
Q Your child then was over a year and a half old at the time of its
death? A Yes, sir.
Q Do you remember when the small-pox was so fatal in this part of
the Creek Nation? A Yes, sir.
Q Did your child die before or after the small-pox broke out? A
It died before.
Q If you have the small-pox A Yes, sir, after I came to Wewoka.
Q How long had your child been dead at that time? A I do not know
how long the child was dead but I think it was some time.

Ex. 882.---2.

Q Did Sulphore die before or after the small-pox was raging in this part of the Greek nation, at the time it was so fatal? A The child died before the small-pox appeared and the mother at that time was living near Westmore. After the child's death she moved up here to live with me and caught the small-pox after she came up here.

Q How long was that after the child's death? A About a year after.

oooooooooooo

I, D. C. Shaffer, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said case on said date.

Subscribed and sworn to before me this 8 day of April 1908.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., February 21, 1905.

In the matter of the application for the enrollment of Sulphoches
as a citizen by blood of the Creek Nation.

GUILY JOHNSON, being duly sworn, testified as follows:

Through Alex Posey, Official Interpreter:

BY COMMISSIONER:

Q What is your name? A Gully Johnson.
Q How old are you? A I was a small boy during the Iapahache War.
Q Just big enough to ride on horse-back.
Q What is your post office address? A Morse.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Wewoka.
Q Did you know a child of Jennie Johnson named Sulphoches? A Yes, sir.
Q Was that child a boy or a girl? A A boy.
Q What relation was the child to you? A It was my sister's child.
Q Who was the child's father? A I think the fellow's name was Wiley Fixico, who lives some-where near Wetumka. Wiley and Jennie were married according to the old Indian Customs and separated after the child was born.
Q Do you know when Sulphoches died? A I do not know the date of the child's death but it died at the time the Ardekan and Ardekan had a big ball-game near Hickory Ground.
Q How many years do you think it has been since the child died? A I do not know how many years it has been.
Q How old was the child at the time of its death? A The child was about a year old.
Q Do you remember the circumstance of the opening of the Creek land Office? A Yes, sir.
Q Did Sulphoches die before or after the opening of the land office? A I cannot say as to that but Cowee Harte, the Town King of my town, had advised his people to make ready for allotment. At that time he had just returned from a trip to Washington where he had served as delegate and was sending word among his people that allotment was at hand. The child was then living.
Q Do you know who was at that time Chief of the Creek Nation? A I think Iapahache was Chief.
Q In what time of the year was that Ball-game, to which you referred, played? A It was in mid-summer---I think in August.
Q Do you know when the child was born? A I think the child was born either in December of January and was fully a year old at the time of its death.
Q Do you know any one who had made selection of land at the time the child died? A Allotment was being generally discontinued at the time the child died but I do not know any one who had filed upon his land.
Q Do you know whether or not the section lines were established at the time the child died? A Yes, sir, they were and people were looking up corner stones and bearing-trees and otherwise making ready for allotment.
Q How long after the section lines were established was it that the child died? A Some little time after. (The section lines were established and subdivisions made in 1895-96)
Q Do you know whether or not a record was made of the death of this child? A There was no record made.
Q Is the mother of the child living? A She is living at my house.
Q Were you present when the child died? A Myself and brother were present and we made the coffin for the child.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wetumka, I. T., January 12, 1905.

In the matter of the application for the enrollment of Sulphoches
as a citizen by blood of the Creek Nation.

ELIZA HICKMAN, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Eliza Hickman.
Q How old are you? A I do not know my exact age but I am over 50.
Q What is your post office address? A Wetumka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Wetumka.
Q Did you know a child of Jennie Johnson named Sulphoches? A Yes, sir. The child died right near here.
Q Do you know when the child died? A The child died in the summer time—over five years ago—and before my sister, Sowelahee died. I remember the circumstance of the child's death quite distinctly, because Jennie, the child's mother, and her grandmother, were living alone. There was no one present at the time of the child's death to see to his burial. They sent word to us and my husband and myself went to her house and assisted in the burial of the child.
Q How old was the child at the time of its death? A The child died very young—before it could crawl.
Q In what month did the child die? A The child died in the summer time.
Q How do you know it was in the summer—time? A Because the Nuyakas had a big ball game and all of the men in the neighborhood were in attendance at the game and there was no one to help bury the child.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Did this child die before or after the opening of the Creek Land Office? A It died after the land office opened.
Q How long after? A It was in the hot summer—time—probably in July. We buried the child as hasty as possible on account of the hot weather.
Q When was the child born? A I do not know when the child was born but I think it was about five months old at the time of its death.
Q Was the child born before the land office opened? A I think so.
Q What time of the year was the child born? A I know the child's parents well but I can not be positive as to dates. According to my best recollection the child was born in the early Spring—either in March or April.
Q Was the child any relation of yours? A The child was a niece of my former husband, Micco Kmarthia.
Q Who was the father of the child? A Wiley's Fixico.
Q Would he know when the child was born and when it died? A No, sir, Jennie and Wiley were not married.
Q Where is Wiley now? A He is living some where near the Big Prairie. (Garon)
Q Do you know any one who could give the Commission definite information regarding the birth and death of this child? A I do not know of any one except the mother—she is living up near Okmah.

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said

cause on said date.
Subscribed and sworn to before me this
January 12, 1905.

Notary Public

CR EN 885

CR EN 885

OF AM 887

Washoe, Indian Territory, August 2, 1906.

Billy West,

Wesley, Indian Territory.

Dear Sir:

You are hereby advised that the name of your minor child, Hettie West, is contained in the partial list of citizens by blood of the Creek Nation approved by the Secretary of the Interior July 31, 1905, and that application for a selection of land in the Creek Nation for said child may now be made at the office of the Commissioner to the Five Civilized Tribes, in Muskogee, Indian Territory.

An entire allotment of 160 acres for said child must be selected at the time of the original application.

Respectfully,

Assistant Commissioner.

Gr. No. 887

Muskogee, Indian Territory, April 21, 1905

M. L. Hoff,
Attorney for Creek Nation,
Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Nettie West as a citizen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be allowed fifteen days from the date hereof within which to protest against said decision, and if, at the expiration of that time, no such protest has been made, said Nettie West will be regularly listed for enrollment as a citizen by blood of the Creek Nation.

Respectfully,

Chairman

10-4-21-04

07.12.1900

Muskegon, Indian Territory, April 22, 1900.

M. T. Most,

Attorney for Creek Nation,

Muskegon, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Hattie West as a citizen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be allowed fifteen days from the date hereof within which to protest against said decision, and if, at the expiration of that time, no such protest has been made, said Hattie West will be tentatively listed for enrollment as a citizen by blood of the Creek Nation.

Respectfully,

Chairman

IM-4-21-00

104

REFER IN REPLY TO THE FOLLOWING
B. A. 175.

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRACKENRIDGE,
W. E. STANLEY,
ALLISON L. AYLESWORTH,
SECRETARY

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THIS
Muskogee, Indian Territory, November 21, 1903.

Louisa West,
Amapala, Indian Territory.

Dear Madam:

There is on file with the Commission an affidavit executed by you relative to the birth of your minor child, Hettie West, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case. You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, for the purpose of being examined under oath, with two witnesses who know the date of the birth of said child.

Respectfully,



Chairman.

Ex. 887.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

--:0:--

In the matter of the application for the enrollment of Hettie West as a citizen by blood of the Creek Nation.

--: D E C I S I O N :--

The record in this case shows that on April 4, 1901, the affidavit of Louis West relative to the birth of her minor child, Hettie West, was filed with the Commission at Muskogee, Indian Territory, which said affidavit is considered by the Commission as an application for the enrollment of said Hettie West as a citizen by blood of the Creek Nation.

Further proceedings were had January 10, 1902. The evidence shows that said Hettie West is the minor child of Billy and Louis West, and an examination of the records of the Commission shows that the names of said Billy and Louis West are found in the partial list of citizens by blood of the Creek Nation approved by the Secretary of the Interior, March 13, 1902, Roll Numbers 4525 and 4526, respectively. The evidence further shows that said Hettie West was born prior to May 25, 1901, and was living at the date of the application herein.

It is, therefore, the opinion of the Commission that said Hettie West should be enrolled as a citizen by blood of the Creek Nation in accordance with the provisions of the Act of Congress, June 30, 1902 (32 Stat. 500), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory.

APR 20 1902

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the
Nation, Armenia
of Armenia, born on the 23 day of August, 1900
Name of Father: William West, a citizen of the Armenia Nation.
Name of Mother: Louisa West, a citizen of the Armenia Nation.
Post-office, Armenia

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
District of Armenia
I, Louisa West,
years of age and a citizen, by Armenia of the Armenia Nation;
that I am the lawful wife of William West, who is a citizen, by Armenia of the Armenia Nation, that a female child was
born to me on the 23 day of August, 1900 that said child has been
named Armenia West, and is now living.

WITNESSES TO MARK

(Must be Two)
Witnesses

Subscribed and sworn to before me this 28 day of March, 1901
My Com. Expires April 1 1901
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
District of Armenia
I, Elizabeth McKinney,
attended on Mrs. Louisa West, wife of William West,
on the 23 day of August, 1900 that there was born to her on
said date a female child; that said child is now living and is said to have been
named Armenia West

WITNESSES TO MARK

(Must be Two)
Witnesses

Subscribed and sworn to before me this 28 day of March, 1901
My Com. Expires April 1 1901
NOTARY PUBLIC

175

30

IN RE

Application for Enrollment of

INFANT CHILD

Walter West

as a citizen of

Green

Nation

Approved

1901

Commissioner

[Faint illegible text]

[Faint illegible text]

COMMISSION TO THE FILE OF THE DEPARTMENT OF THE INTERIOR

FILED

[Signature]
1901

[Faint illegible text]

A. 175.---S.

taken of my ignorance and that I have been treated very unjustly but
I have made no protest, believing that all would come out right in
the end.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Was Hettie born before or after the opening of the land office?
A She was born before. Hettie was a good sized baby at the time the
Commission was going over the country enrolling citizens.

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I, D. G. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 13 day of January, 1905.

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Weslanka, I. T., January 10, 1903.

In the matter of the application for the enrollment of Hettie West as a citizen by blood of the Creek Nation.

LOUISA WEST, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Louisa West.
Q How old are you? A I do not know.

Witness appears to be about thirty years of age.

Q What is your post office address? A Weslanka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Thlophlocco.
Q Have you a child named Hettie West? A Yes, sir.
Q Is that child living? A The child is now living with its grandmother near here.
Q How old is the child? A I do not know how old the child is. I think it is about five years old.
Q What is the name of the child's father? A Billy West.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Was the child born before or after the opening of the Creek Land Office? A I think the child was born before--just before.
Q Was there a record made of the birth of this child? A No, sir.

BILLY WEST, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Billy West.
Q How old are you? A About forty.
Q What is your post office address? A Weslanka.
Q Are you a citizen of the Creek Nation? A I am a real old-fashioned full-blood.
Q To what town do you belong? A Kialtee.
Q Have you a daughter named Hettie? A Yes, sir.
Q How old is she? A I am of the opinion that the child is about five years old. She is nearly as old as this boy. (indicating a boy who appears to be at least eight years of age)
Q How many years older is this boy than Hettie? A I do not know how much but Hettie was the next child born after this boy.
Q How old was this boy, which you referred to, when Hettie was born? Q This boy was about two years old and could talk. Hettie was born just about the time, or right after the time, the section lines were opened in this part of the country.
Q Have you and your wife ever executed an affidavit relative to the birth of Hettie? A No, sir. The town officers or some of her relatives may have executed an affidavit about her.
Q Have you made selection of land for yourself and family? A No, sir. I understand the Commission filed me an affidavit and in doing so they filed me out of a house and home. The land upon which all my improvements are located. I understand, has been allotted to a negro named Harry Corbey. I and my family are now living on another citizens land as tenants, having been dispossessed by said Harry Corbey of the only home I ever had. I think that statement has been

CR EN 881

CR EN 881

No. 880

Muskogee, Indian Territory, July 8, 1908.

Timothy Dick,

Oktaha, Indian Territory.

Dear Sir:

You are hereby advised that the name of Moccus Hatcher, deceased, is contained in the partial list of citizens by blood of the Creek Nation, approved by the Secretary of the Interior March 23, 1908 and that application for a selection of land in the Creek Nation may now be made at the office of the Commissioner to the Five Civilized Tribes in Muskogee, Indian Territory, by his duly authorized representatives.

Respectfully,

Commissioner.

MAILED IN DEPT. OF THE INTERIOR

EX-880

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS:
TAMM RILEY,
THOMAS B. NEEDLES,
C. R. BRIDGEMAN,
WM. O. BRALL,
Secretary.

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

Muskogee, Indian Territory, June 3, 1905.

Woods Hutchins,

Ottawa, Indian Territory.

Dear Sir:

You are hereby advised that your name is contained in the partial list of citizens by blood of the Creek Nation, approved by the Secretary of the Interior May 23, 1905, and that application for a selection of land in the Creek Nation may now be made at the office of the Commission in Muskogee, Indian Territory.

Respectfully



Commissioner in Charge.

Or An 880

Manikago, Indian Territory, March 21, 1908.

M. I. Mott,

Attorney for the Creek Nation,

Manikago, Indian Territory.

Sir:

There is enclosed herewith a copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of House Interoes (deceased) as a citizen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be allowed fifteen days from date hereof within which to file protest against said decision, and if, at the expiration of that time, no such protest has been made, said House Interoes (deceased) will be regularly listed for enrollment as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

YK-41-3.

Muskogee, Indian Territory,

MAR 20 1905

Commissioner.

C. W. Anderson

Commissioner.

Chairman.

it is so ordered.
June 28, 1898 (30 Stat., 495) and March 1, 1901 (31 Stat., 861), and
Greek Nation in accordance with the provisions of the acts of Congress,
Hutches, deceased, should be enrolled as a citizen by blood of the
It is, therefore, the opinion of the Commission that said Nocus
2, 1904.
The evidence further shows that said Nocus Hutches died April
on the 1895 Pay Roll of said Nation.
The evidence further shows that said Nocus Hutches, deceased, is identi-
fied on the 1890 Authenticated Tribal Roll of the Creek Nation, and
1904.
The evidence shows that said Nocus Hutches, deceased, is identi-
fied on the 1890 Authenticated Tribal Roll of the Creek Nation, and
of the Creek Nation. Further proceedings were had December 29,
1904.
which said affidavits are considered by the Commission as an applica-
tion for the enrollment of said Nocus Hutches as a citizen by blood
Hutches, were filed with the Commission at Muskogee, Indian Territory,
vita of Thieulie and Henry Carter, relative to the death of Nocus
The record in this case shows that on June 17, 1904, the affida-

--: D E C I S I O N :--

Hutches, deceased, as a citizen by blood of the Creek Nation.
In the matter of the application for the enrollment of Nocus

--:0:--

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR,

E.C.G.

En. 880.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskegon, Indian Territory, Dec. 20, 1904.

In the matter of the application for the enrollment of Nocus
Hutches as a citizen by blood of the Creek Nation.

TIMMIE DICK, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

June 17, 1904, two duly executed affidavits, relative to
the death of Nocus Hutches, were filed with the Commission and
are made part of the record in this case.

Q What is your name? A Timmie Dick.
Q How old are you? A Thirty-two.
Q What is your post office address? A Okfuska.
Q Did you know Nocus Hutches? A Yes, sir.
Q Was he ever known by any other name? A He was known by two names
his boyhood name was Warcoche.
Q Was he ever called Bearstiff? A Yes, sir, that was his town-name.
Q What town did he belong to? A Ketchapataka.
Q He is dead is he? A Yes, sir.
Q How old was he when he died? A About sixty-five years old.
Q Was he a full-blood Greek Indian? A Yes, sir.
Q Was he any relation to you? A He was my brother.
Q Did he live in the Creek nation all his life? A Yes, sir.
Q When did Nocus Hutches die? A April 2, 1904.
Q Did he have a daughter named Pollee? A Yes, sir.
Q Is she the wife of Micco Coffee? A They have separated.
Q She was the wife of Micco Coffee was she? A Yes, sir.
Greek Nation,
The 1890 Authenticated Tribal Roll, Ketchapataka Town,
examined and Nocus Hutches identified thereon at Page 103, under
the name of Nocus Harjo.
The 1895 Pay Roll of the Creek Nation, Ketchapataka Town,
examined and Nocus Hutches identified thereon at No. 168, as
Nocus Hutches Dick.
Q Was he sometimes called Nocus Hutches Dick? A Yes, sir.
Q Do you know why Nocus Hutches failed to make application for en-
rollment during his lifetime? A His excuse was that he was too old
and did not care to take his allotment.
Q You are positive are you that he died during the past year? A
Yes, sir.

---00000000---

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 30 day of December, 1904.

[Signature]
Notary Public.

CR EN 880

CR EN 880

En. 879.

Muskogee, Indian Territory, June 5, 1905.

The Honorable,

Secretary, Indian Territory.

Dear Sir:

You are hereby advised that the name of your minor child, *Safina Barnett*, is contained in the partial list of citizens by blood of the Creek Nation, approved by the Secretary of the Interior, May 23, 1905, and that application for a selection of land in the Creek Nation may now be made at the office of the Commission in Muskogee, Indian Territory.

Respectfully,

Commissioner in Charge.

Or 22 872

Lawson, Indian Territory, March 21, 1906.

L. I. Mott,

Attorney for the Creek Nation.

Lawson, Indian Territory.

Sir:

There is enclosed herewith a copy of the decision of the
Commission to the Five Civilized Tribes in the matter of the ap-
plication for the enrollment of Selma Barnett as a citizen by
blood of the Creek Nation.

You are hereby notified that the Creek Nation will be al-
lowed fifteen days from date hereof within which to file protest
against said decision, and if, at the expiration of that time, no
such protest has been made, said Selma Barnett will be regularly
listed for enrollment as a citizen by blood of the Creek Nation.
Respectfully,

Chairman.

LY-1-7.

B.A. 6

Muskogee, Indian Territory, September 18, 1902.

Mahala Barnett,

Saskia, Indian Territory.

Dear Madam:

There are on file with the Commission affidavits executed by you relative to the birth of Salina Barnett, who, it is claimed, is a citizen of the Creek Nation. It is desired that testimony be submitted in the case.

You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of the birth of said child, for the purpose of being examined under oath.

Respectfully,

Chairman.

E.C.G.

En. 879.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

--:0:--

In the matter of the application for the enrollment of Salina Barnett as a citizen by blood of the Creek Nation.

--: D E C I S I O N :--

The record in this case shows that on August 14, 1901, the affidavit of Mahala Barnett, relative to the birth of Salina Barnett, was filed with the Commission, at Muskogee, Indian Territory, which said affidavit is considered by the Commission as an application for the enrollment of said Salina Barnett as a citizen by blood of the Creek Nation. Further proceedings were had December 15, 1904. The evidence shows that said Salina Barnett is the minor child of Mahala Barnett, whose name is contained in the partial list of Creek Citizens by blood, approved by the Secretary of the Interior March 28, 1902, Roll No. 8408; that said applicant was born prior to April 1, 1899, and that she was living at the date of the application herein. It is, therefore, the opinion of the Commission that said Salina Barnett should be enrolled as a citizen by blood of the Creek Nation, in accordance with the provisions of the acts of Congress, June 28, 1898 (30 Stat., 495) and March 1, 1901 (31 Stat., 861), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee Indian Territory.
MAR 30 1905

E.C.G.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR,

En. 879.

--:0:--

In the matter of the application for the enrollment of Salina Barnett as a citizen by blood of the Creek Nation.

--:SUPPLEMENTAL STATEMENT:--

The records of the Commission examined and the name of Mahala Barnett, mother of said Salina Barnett, is found in the partial list of Creek Citizens by blood approved by the Secretary of the Interior March 28, 1902, Roll No. 8408.

Commissioner.

Muskogee, Indian Territory,

JAN 17 1903

A. 6.---2.

Q How old are you? A I do not know.

Witness appears to be about twenty-five years of age.

Q What is your post office address? A Saska.
Q Are you a citizen of the Greek? A Yes, sir.
Q What town do you belong? A Hillabee Canadian.
Q Have you a child named Salina Barnett? A Yes, sir.
Q Are you the wife of Jim Barnett? A Yes, sir.
Q How old is Salina? A About six years old I guess.
Q Do you know when she was born? A I do not know the month or the
year of her birth.
Q Do you remember the circumstance of the opening of the Greek Land
Office? A Yes, sir.
Q Was Salina born before or after the opening of the Greek Land
Office? A I do not know as to that.
Q Who attended upon you at the time Salina was born? A Millie
Barnett.
Q Is she living? A Yes, sir.
Q What is her post office address? A Saska.

---00000000---

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 29 day of December, 1904.

Charles Skaggs
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wewoka, I. T., December 15, 1904.

In the matter of the application for the enrollment of Selina Barnett as a citizen by blood of the Creek Nation.

JIM BARNETT, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Jim Barnett.
Q How old are you? A I am between twenty-eight and thirty.
Q What is your post office address? A Sasakwa.
Q Are you a citizen of the Creek or Seminole Nation? A I am a Seminole.
Q Have you a daughter named Selina Barnett? A Yes, sir.
Q Is she living? A Yes, sir.
Q How old is Selina? A She is six years and eight months old.
Q When was the child born? A She was born August 25, 1898.
Q Was there a record made of the birth of Selina? A I made a record but I have since lost it.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Was Selina born before or after the opening of the land office? A She was born before the opening of the land office.
Q How long before? A About a year before the land office opened.
The child, Selina, is present and appears to be at least six years of age.

Q What is the name of the mother of Selina? A Mahala Barnett.
Q Is she a citizen of the Creek Nation? A Yes, sir.
Q What town does she belong to? A Hillabee Canadian--Tom Adam is Town King.
Q You have heretofore executed and affidavit about this child have you? A Yes, sir, I executed two affidavits and filed them with the Commission but was advised by the Commission that the affidavits did not agree as to the date of the birth of the child and it would be necessary for the mother of the child and the mid-wife in attendance at the birth of the child to appear before the Commission, but for the want of means I have been unable to appear before the Commission with my witnesses.

The witness presents the letter referred to which is under date of May 18, 1903.

Q Why did you wait so long before making application for the enrollment of Selina? A Just the want of means to enable me to go to Muskogee. I wanted to appear before the Commission when it was at Muskogee enrolling citizens but was not able to, for the reason stated--then I thought the town king of the town to which the child belongs would look after its interests and I wrote him asking him to see that land was selected for the child and he replied that I had better look after the child's interests myself.

Mahala Barnett, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Mahala Barnett.

CR EN 85d

CR EN 85d

En. 878.

Muskogee, Indian Territory, May 20, 1905.

M. L. Nott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

You are hereby advised that the Secretary of the Interior, under date of May 19, 1905, affirmed the decision of the Commission to the Five Civilized Tribes, dated March 20, 1905, denying the application for the enrollment of Gilbert L. Grayson, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

En. 878.

Muskogee, Indian Territory, May 29, 1908.

J. H. Herndon,

Spaulding, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior,

under date of May 19, 1908, affirmed the decision of the Commission
to the Five Civilized Tribes, dated March 20, 1908, denying the
application for the enrollment of your grand-child, Gilbert L.
Grayson, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

Refer in reply to
the following:

Land.
30286-1905.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, April 26, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated April 18, 1905, transmitting the record of the application for enrollment as a citizen by blood of the Creek Nation of Colbert L. Grayson, deceased. March 20, 1905, the Commission decided adversely to the application.

The record shows that Colbert L. Grayson was born January 31, 1901, and died April 19, 1901.

In view of the record the approval of the Commission's decision adverse to the application is recommended.

Very respectfully,

C. E. Larabee

Acting Commissioner.

M.M.M.
V.

G.R.

DC-36283-1905.
I.T.D. 4836-1905.
IRS.

DEPARTMENT OF THE INTERIOR, LIB

WASHINGTON.

May 19, 1905.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

April 15, 1905, you transmitted the record of proceed-

ings in the matter of the application for the enrollment of
Robert L. Grayson, deceased, as a citizen by blood of the Creek
Nation, including your decision dated March 20, 1905, wherein
you found "that said Robert L. Grayson, deceased, was born Jan-
uary 31, 1901, and died April 19, 1901," and therefore denied
said application.

April 26, 1905, the Acting Commissioner of Indian Af-

airs reporting in the matter, recommended that your decision
denying said application be affirmed. A copy of his letter is

herewith inclosed.

The Department concurs in the recommendation made and
your decision dated March 20, 1905, denying the application for
the enrollment of Robert L. Grayson, deceased, as a citizen by
blood of the Creek Nation is hereby affirmed.

Respectfully,

(Signed) Thom. Ryan

Acting Secretary

I inclose.

Gr. No. 878.

Muskogee, Indian Territory, April 14, 1903.

Olivia L. Grayson,

Spaulding, Indian Territory.

Sir:

There is herewith inclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of your minor child, Colbert L. Grayson, deceased, as a citizen of the Creek Nation, denying said application. The decision with a copy of the proceedings had in the case is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Register.
Inc. 14-1-8.

Dr. H. M. 878.

Muskogee, Indian Territory, April 14, 1905.

M. T. Moff,

Attorney for the Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith inclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of a minor child, Gilbert L. Grayson, deceased, as a citizen of the Creek Nation, denying said application.

The decision with a copy of the proceedings had in the case is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Inc.
IM-4-14-9.

Cr. En. 878.

Muskogee, Indian Territory, April 14, 1905.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Gilbert L. Grayson, deceased, as a citizen of the Creek Nation, including the decision of the Commission, dated March 20, 1905.

Respectfully,

Commissioner in Charge.

Through the Commissioner
of Indian Affairs.

Ind. En. 4-14-05.

Dr. H. A. 10

Madison, Indiana Territory, April 12, 1802

The Honorable

The Secretary of the Interior

Sir:

There is herewith forwarded the record of proceedings
in the matter of the application for the assignment of Robert J.
Graham, deceased, as a claimant of the Creek Nation, including the
decision of the Commission, dated March 20, 1802.
Respectfully,

Commissioner in Charge

Through the Commission

of Indian Affairs

Indian Affairs

REFER IN REPLY TO THE FOLLOWING

B.A. 66

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON J. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 13, 1903.

Holdenville, Indian Territory.
Olivis L. Grayson,

Dear Madam:

There is on file with the Commission an affidavit relative to the birth of your minor child, Colbert L. Grayson, who it is claimed is entitled to enrollment as a citizen of the Creek Nation. Said affidavit was executed by you March 25, 1901. It is desired that further testimony be submitted in this case.

You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of the birth of said child, for the purpose of being examined under oath.

Respectfully,

Chairman.

REFER IN REPLY TO THE FOLLOWING

Creek Enrollment

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS
HENRY L. DAWES.
TAMM BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.
ALLISON L. AYLESWORTH
SECRETARY

Muskogee, Indian Territory, October 29, 1902.

Charles C. Grayson,

Holdenville, Indian Territory.

Dear Sir:

There is on file in this office an affidavit made by your wife, Olivia L. Grayson, tending to show that your child, Colbert L. Grayson, was born January 21, 1901.

The Creek supplemental agreement, recently ratified, provides, in certain cases, for allotments to the heirs of deceased citizens, and the Commission now desires information as to whether or not your said child, Colbert L. Grayson, is now living, and if not living, the date of its death.

For this purpose there is herewith inclosed blank for supplemental proof, the upper form of affidavit to be used if said child is now living, and the lower one if said child is deceased. The form used must be carefully filled out and be signed and sworn to before a notary public by either the father or mother of said child.

Please attend to this matter promptly and return the affidavit to this office in the inclosed envelope, which requires

no postage.

Respectfully,

Commissioner in Charge.

Encl. proof.

K.O.G.

No. 278.

COMMISSION TO THE NINE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

--:O:--

In the matter of the application for the enrollment of Gilbert
L. Grayson, deceased, as a citizen by blood of the Creek Nation.


--: D I C T I O N :--


The record in this case shows that on March 28, 1901, the affidavit of Olivia L. Grayson, relative to the birth of Gilbert L. Grayson, deceased, was filed with the Commission, at Muskogee, Indian Territory, which said affidavit is considered by the Commission as an application for the enrollment of said Gilbert L. Grayson, deceased, as a citizen by blood of the Creek Nation. Further proceedings were had December 12, 1904.

The evidence shows that said Gilbert L. Grayson was born January 21, 1901, and died April 19, 1901.

It is, therefore, the opinion of the Commission that there is no authority of law for the enrollment of said Gilbert L. Grayson, deceased, as a citizen by blood of the Creek Nation, and that the application for his enrollment as such should be denied, and it is so ordered.

COMMISSION TO THE NINE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory.
MAR 20 1905

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Spaulding, I. T., December 12, 1904.

In the matter of the application for the enrollment of Gilbert I. Grayson as a citizen by blood of the Greek Nation.

J. E. HERRNDON, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A J. E. Herrndon.
Q How old are you? A Sixty-one.
Q What is your post office address? A Spaulding.
Q Are you a citizen of the Greek Nation? A No, sir.
Q Are you a citizen of the United States? A Yes, sir.
Q Do you know a child of Charles C. Grayson named Gilbert I. Grayson?
A Yes, sir.

Q What relation was that child to you? A It was my grandchild.
Q Is that child living? A No, sir.
Q When was the child born? A It was born on the last day of January
three years ago this last January--will be four years this coming
January.

Q When did the child die? A I don't know the date of its death.
Q About when did the child die? A It must have died sometime the
last of May--I can't tell you positive but I think it was about the
last of May.

Q In the same year it was born? A Yes, sir, in the same year it
was born.
Q How old was the child at the time of its death? A It must have
been pretty near five months old--four or five months old.
Q Was there a record made of the child's birth and death? A Yes,
sir.

The witness presents a framed family record containing a
record of the births and deaths of various members of the
family of Charles C. Grayson, among others the following:
"Gilbert Grayson was born January 31, 1901."
"Gilbert I. Grayson died Apr. 19, 1901."

Q Are Gilbert Grayson and Gilbert I. Grayson, referred to in this
record, one and the same person? A Yes, sir.
Q When was this record made? A Immediately after the birth and
death of the child.
Q The record of the birth of the child was made right after its
birth was it? A Yes, sir, and the record of its death was made
immediately after its death.
Q Who made the record? A I think from the hand-writing that G. C.
Grayson made it.
Q Is that the father of the child? A Yes, sir.
Q What is the name of the child's mother? A Olivia I. Nicholson.
Q It was Olivia I. Grayson at the time of the birth of the child.
Q What is her post office address? A Spaulding.

---000-000---

I, D. O. Shanks, do hereby state that the above and foregoing is a
true and true transcript of my stenographic notes as taken in said
examination on said date.

Subscribed and sworn to before me this 22 day of December, 1904.

D. O. Shanks.

CR EN 858

CR EN 858

Cr. No. 877.

Muskogee, Indian Territory, June 28, 1905.

M. L. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

You are hereby advised that the Secretary of the Interior,
under date of June 2, 1905, affirmed the decision of the Commission
to the Five Civilized Tribes, denying the application for the enroll-
ment of Daisy Perryman, deceased, as a citizen by blood of the

Creek Nation.

Respectfully,

Chairman.

Cr. En. 877.

Muskogee, Indian Territory, June 28, 1905.

Mark Perryman,

Holmanville, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior,

under date of June 3, 1905, affirmed the decision of the Commission to the Five Civilized Tribes, denying the application for the enrollment of your minor child, Daisy Perryman, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

M.M.M. W.

Acting Commissioner.

C.F. Larabee,

Very respectfully,

decision adverse to the application is recommended.

In view of the record of the approval of the Commission's

advent to April 1, 1899, and died prior to July 1, 1900.

The record shows that Daisy Perryman was born sub-

application,

March 20, 1905, the Commission decided adversely to the

of the Creek Nation of Daisy Perryman, deceased.

the record of the application for enrollment as a citizen by blood

to the Five Civilized Tribes, dated April 19, 1905, transmitting

I have the honor to enclose a report from the Commission

Sir:

The Secretary of the Interior.

The Honorable,

WASHINGTON, May 1, 1905.

OFFICE OF INDIAN AFFAIRS,

DEPARTMENT OF THE INTERIOR,

31363-1905.
Lam:
Refer in reply to the following:

1 inclosure.

Secretly.

(Signed) E.A. Hitchcock,

Respectfully,

Greek Nation is hereby affirmed.

ment of Daisy Perryman, (deceased) as a citizen by blood of the
decision dated March 20, 1905, denying the application for the enroll-

The Department concurs in the recommendation made and your

cation be affirmed. A copy of his letter is inclosed.

reporting thereon, recommended that your decision denying said appli-

May 1, 1905, the Acting Commissioner of Indian Affairs

subsequent to April 1, 1899, and died prior to July 1, 1900."

ground that "The evidence shows that said Daisy Perryman was born

your decision dated March 20, 1905, denying said application, on the

(deceased) as a citizen by blood of the Creek Nation, including

of the application ~~for~~ for the enrollment of Daisy Perryman

April 19, 1905, you transmitted the record in the matter

Gentlemen:

Muskogee, Indian Territory.

Commission to the Five Civilized Tribes,

WASHINGTON, June 3, 1905.

DEPARTMENT OF THE INTERIOR,

GR. INH. 1905.

I.T.D. 488-1905.

CT. I. 877.

Muskogee, Indian Territory, April 19, 1905.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Daisy Perry-
man, deceased, as a citizen by blood of the Creek Nation, including
the decision of the Commission, dated March 20, 1905.

Respectfully,

Chairman.

Through the Commission
of Indian Affairs.

IM-4-19-77.

3
OT.I.877.

Muskogee, Indian Territory, April 19, 1905.

M. L. Mott,
Attorney for Creek Nation,
Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Daisey Perryman, deceased, as a citizen by blood of the Creek Nation, denying said application. The decision with a copy of the proceedings had in the case is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

IM-4-19-78.

Dr. I. 877.

Muskogee, Indian Territory, April 19, 1905.

Dear Sir:

Heidenville, Indian Territory.

There is herewith enclosed one copy of the decision of

the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of your minor child, Daisy Perryman, deceased, as a citizen by blood of the Creek Nation, denying said application.

The decision with a copy of the proceedings had in the case is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

Register.
IM-419-75

Off

D. C. 85.

Muskogee, Indian Territory, January 30, 1904.

Mac Perryman,

Holdenville, Indian Territory.

Dear Sir:

There is on file with the Commission an affidavit executed by you relative to the death of your child, Daisy Perryman, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case. You are therefore required to appear before the Commission at the office in Muskogee, Indian Territory, with two witnesses who know the date of the death of said child, for the purpose of being examined under oath.

Respectfully,

Commissioner in Charge.

E.C.G.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

No. 277.

--:O:--

In the matter of the application for the enrollment of Daisy Perryman, deceased, as a citizen by blood of the Creek Nation.

--: D E C I S I O N :--

The record in this case shows that on June 6, 1901, the affidavit of Mac Perryman, relative to the death of Daisy Perryman, deceased, was filed with the Commission at Muskogee, Indian Territory, which said affidavit is considered by the Commission as an application for the enrollment of said Daisy Perryman, deceased, as a citizen by blood of the Creek Nation. Further proceedings were had December 10, and December 12, 1904. The evidence shows that said Daisy Perryman was born subsequent to April 1, 1899, and died prior to July 1, 1900. It is, therefore, the opinion of the Commission that there is no authority of law for the enrollment of said Daisy Perryman, deceased, as a citizen by blood of the Creek Nation and that the application for her enrollment as such should be denied, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory.

MAR 20 1905

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Holdenville, I. T., December 12, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Daisy Perryman, deceased, as a citizen by blood of the
Greek Nation.

LUCY ANDERSON, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Lucy Anderson.
Q How old are you? A Forty-two.
Q What is your post office address? A Calvin.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q What town do you belong to? A Coweta.
Q Did you know a child of Mack Perryman named Daisy? A Yes, sir.
Q I took care of the child from the time it was born until it died.
Q When was the child born? A August 28, 1899.
Q When did the child die? A On April 5, 1900.
Q What relation was the child to you? A It was a child of my sis-
ter.
Q Was there a record made of the birth and death of this child? A
No, sir, simply remembered it. The circumstances that fix the date
of the birth of the child in my mind is a camp meeting held at
Calvin--the child was born during that camp-meeting.
Q Did you execute an affidavit relative to the birth and death of
this child? A Yes, sir, I executed an affidavit before the Dawes
Commission at Okmulgee.
Q When was that? A I do not know the year but the Commission was
at Okmulgee enrolling Greek Citizens.
Q Are the dates as given in that affidavit correct? A Yes, sir.
Q The Commission at that time informed me that the child was not
entitled according to the new treaty but I executed an affidavit any-
how.

-----0000000000-----

I, D. C. Skyles, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 21 day of December, 1904.

[Signature]
Notary Public.

A. 82.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Holdenville, I. T., December 10, 1904.

In the matter of the application for the enrollment of Daisy
Perryman, deceased, as a citizen by blood of the Creek Nation.
MARCK PERRYMAN, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

BY COMMISSION:
Q What is your name? A Mark Perryman.
Q How old are you? A Forty-five.
Q What is your post office address? A Holdenville.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Okmulgee.
Q Did you have a child named Daisy Perryman? A Yes, sir.
Q When did she die? A I do not know when she died or when she was
born but I have a record of her birth and death at home.
Q Did you execute an affidavit relative to the birth and death of
Daisy and send it to the Commission? A Yes, sir. I executed an
affidavit before the Commission at Muskogee.
Q Were the dates as given in that affidavit taken from the record
which you have at home? A I did not have the record with me when
I executed the affidavit but the dates were fresh in my mind.
Q Can you bring that record in for the inspection of the Commission?
A Yes, sir, I will bring it in Monday.

-----00000000-----

I, D. C. Briggs, on oath state that the above and foregoing is
a full and true stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 21 day of December, 1904.

[Signature]
Notary Public.

CR EN 855

CR EN 855

COMMISSIONERS:
 TAMES NIXBY,
 THOMAS E. NEEDLES,
 C. E. BERTCHINGHOPE,
 WM. O. BEALL,
 Secretary.

DEPARTMENT OF THE INTERIOR
 COMMISSION TO THE FIVE CIVILIZED TRIBES.

WHERE IN REPLY TO THE FOLLOWING
 Cr. No. 876

ADDRESS ONLY THE
 COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 17, 1905.

Ebney McKane,

Yeager, Indian Territory.

Dear Madam:

You are advised that the name of your minor child, William McKane, is contained in the partial list of Creek citizens, approved by the Secretary of the Interior April 6, 1905, and that application for a selection of land in the Creek Nation may now be made for said child at the office of the Commission, at Muskogee, Indian Territory.

Respectfully,


 Chairman.

Creek SN 876

Manhokos, Indian Territory, February 21, 1906.

W. L. Mott,

Attorney for the Creek Nation.

Manhokos, Indian Territory.

Sir:

There is enclosed herewith a copy of the decision of the
Commission to the Five Civilized Tribes in the matter of the ap-
plication for the enrollment of William Mokana as a citizen by
blood of the Creek Nation.

You are hereby notified that the Creek Nation will be al-
lowed fifteen days from the date hereof within which to protest
against said decision, and if, at the expiration of that time,
no such protest has been made, said William Mokana will be
regularly listed for enrollment as a citizen by blood of the
Creek Nation.

Respectfully,

Chairman.

LYN-21-2.

007

B. A. 111

Muskogee, Indian Territory, November 19, 1903.

Hepsey McKane,

Wewoka, Indian Territory.

Dear Madam:

There is on file with the Commission an affidavit executed by you relative to the birth of your minor child, William McKane, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case.

You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of the birth of said child, for the purpose of being examined under oath.

Respectfully,

Chairman.

N.C. 613.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, February 9, 1906.

In the matter of the application for the enrollment of
George McKan as a citizen of the Creek Nation.

Mitchell Compiler being duly sworn testified as follows
through Alex Posey official interpreter.

Q What is your name? A Mitchell Compiler.
Q What is your age? A Twenty five years, about.
Q What is your post office address? A Yeager.
Q Do you know John and Hepsey McGee? A Yes, sir.
Q Are they both living? A John is dead.
Q Were these people ever known by any other name than McGee? They
are some times but not often called McGee but their correct name is
McKan.
Q Do you know how they are enrolled? A Enrolled as McKan I think.
Q What kin are you to John McKan? A He is my uncle.

On Creek Indian card No. 1638 the witness is listed
along with his said uncle, John McKan, and Hepsey
McKan. Said John and Hepsey McKan are on the final
roll opposite Nos. 5238 and 5239, respectively.

Q What was Hepsey's name before she married? A Just Hepsey. She
might have had a surname but I never heard it.
Q Have they another child enrolled here before this new born child,
George McKan? A Yes, they have one, William McKan.

Said William McKan, son of said John and Hepsey McKan,
is enrolled opposite Creek Indian No. 5238.

Q Do you know their new born child George McKan? A Yes, sir.
Q Is correct name is McKan and not McGee? A Yes, sir.
Q Is it living? A Yes, sir.
Q Do you know how old it is? A I don't know the age of the child.
Q We have here an affidavit executed by Hepsey under the name of
McGee in which she says there was no midwife or physician present
at the birth of the child. It will be necessary that we have a
new affidavit from said Hepsey, giving her correct name and the
name of the child as McKan, if that is the correct name, and instead
of the midwife we will have to have the affidavit of two dis-
interested witnesses.

I, Anna Garrison, on oath state that the above and foregoing is a
true and correct transcript of my stenographic notes as taken in
said cause on said date.

Subscribed and sworn to before
me this 10 day of February 1906.

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskegee, Indian Territory, February 9, 1906.

U.C.513.

In the matter of the application for the enrollment of
George McKan as a citizen of the Creek Nation.

Mitchell Compiler being duly sworn testified as follows
through Alex Posey official interpreter.

Q What is your name? A Mitchell Compiler.
Q What is your age? A Twenty five years, about.
Q What is your post office address? A Yeager.
Q Do you know John and Hepsey McGee? A Yes, sir.
Q Are they both living? A John is dead.
Q Were these people ever known by any other name than McGee? They
are some times but not often called McGee but their correct name is
McKan.
Q Do you know how they are enrolled? A Enrolled as McKan I think.
Q What kin are you to John McKan? A He is my uncle.

On Creek Indian card No. 1628 the witness is listed
along with his said uncle, John McKan, and Hepsey
McKan. Said John and Hepsey McKan are on the final
roll opposite Nos. 5238 and 5239, respectively.

Q What was Hepsey's name before she married? A Just Hepsey. She
might have had a surname but I never heard it.
Q Have they another child enrolled here before this new born child,
George McKan? A Yes, they have one, William McKan.

Said William McKan, son of said John and Hepsey McKan,
is enrolled opposite Creek Indian No. 9278.

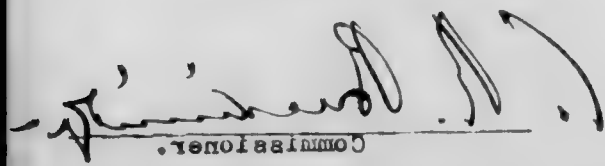
Q Do you know their new born child George McKan? A Yes, sir.
Q Is correct name is McKan and not McGee? A Yes, sir.
Q Is it living? A Yes, sir.
Q Do you know how old it is? A I don't know the age of the child.
Q We have here an affidavit executed by Hepsey under the name of
McGee in which she says there was no midwife or physician present
at the birth of the child. It will be necessary that we have a
new affidavit from said Hepsey, giving her correct name and the
name of the child as McKan, if that is the correct name, and instead
of the midwife we will have to have the affidavit of two dis-
interested witnesses.

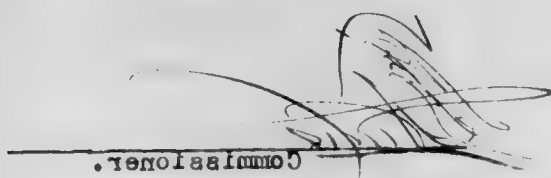
I, Anna Garrison, on oath state that the above and foregoing is a
true and correct transcript of my stenographic notes as taken in
said cause on said date.

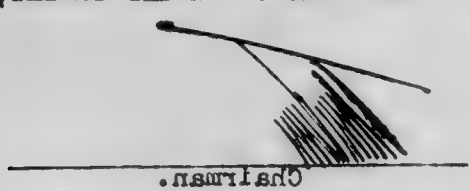
Subscribed and sworn to before
me this 10 day of February 1906.

Notary Public.

FEB 20 1902
Muskogee, Indian Territory,


Commissioner.


Commissioner.


Chairman.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

June 30, 1902, (32 Stats., 500), and it is so ordered.
Nation, in accordance with the provisions of the act of Congress,
William McKane should be enrolled as a citizen by blood of the Creek
It is, therefore, the opinion of the Commission that said
was living at the date of the application herein.
that said William McKane was born prior to May 25, 1901, and that he
Interior, March 28, 1902, Roll numbers 5238 and 5239, respectively;
list of Creek Citizens by blood, approved by the Secretary of the
of John and Hepsey McKane, whose names are contained in a partial
The evidence shows that said William McKane is the minor child
Nation. Further proceedings were had December 9 and 10, 1904.
rollment of said William McKane as a citizen by blood of the Creek
Nation is considered by the Commission as an application for the en-
with the Commission at Muskogee, Indian Territory, which said affi-
of Hepsey McKane relative to the birth of William McKane was filed
The record in this case shows that on May 28, 1902, the affidavit

--: D E C I S I O N :--

McKane as a citizen by blood of the Creek Nation.
In the matter of the application for the enrollment of William

--:O:--

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR,

En. 876.

H.C.G.

ECG.

En. 876.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

--:0:--

In the matter of the application for the enrollment of William McKane as a citizen by blood of the Creek Nation.

SUPPLEMENTAL STATEMENT

The records of the Commission examined and John and Healey McKane, father and mother of said William McKane, are found in the partial list of Creek Citizens by blood, approved by the Secretary of the Interior, March 28, 1902, Roll numbers 5238 and 5239, respectively.



Commissioner.

A. 111

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Holdenville, I. T., December 10, 1904.

Supplemental testimony
in the matter of the application for the enrollment of William
McKane as a citizen by blood of the Creek Nation.

John McKane, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A John McKane.
Q How old are you? A I am over thirty.
Q What is your post office address? A Holdenville.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Tukabatcha.
Q Have you a son named William McKane? A Yes, sir.
Q What is the name of his mother? A Posey.
Q When was William born? A Born July 19, 1900.
Q Is William living? A Yes, sir.
Q How old is he? A A little over four years old.
Q Was there a record made of the birth of William? A I made a
record but I have lost it.
Q Did you execute an affidavit relative to the birth of William? A
I filed an affidavit with the Commission two or three years ago.
Q Where did you execute that affidavit? A At Wewoka, Goodie
Johnson interpreted for me when I executed the affidavit.
Q Were the dates as given in that affidavit taken from the record
which you made? A Yes, sir.
Q Are those dates correct? A Yes, sir. I think I executed the
affidavit in May.
Q What year was that? A 1901.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 21 day of December, 1904.

Notary Public.

(10)

111

D & BA. 111

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Yeager, I. T., December 8, 1904.

In the matter of the application for the enrollment of William McKane as a citizen by blood of the Creek Nation.

EPSEY McKANE, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Epsey McKane.
Q How old are you? A I do not know.

Witness appears to be about twenty-five years of age.

Q What is your post office address? A Yeager.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Tuckabatche.
Q Have you a child named William McKane? A Yes, sir, this is the boy. (indicating a small boy)
Q How old is William? A I think he is four years old.
Q Who is his father? A John McKane.
Q When was William born? A In July 19--I don't know what year.
Q Are you positive that the child is four years old? A Yes, sir.
Q Who attended on you at the time this child was born? A There was no one present when the child was born.
Q Was your husband present? A Yes, sir.
Q Did you and your husband execute an affidavit relative to the birth of William? A We executed an affidavit at Weverka and sent it to the Commission.
Q When was that? A I think we executed the affidavit in May. The child at that time was not walking. I do not know what year it was.
Q Are the dates as given in that affidavit correct? A Yes, sir.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Was William born before the land office opened? A The child was not born at the time the land office opened. He was born afterwards.
Q How long after? A The year after the opening of the land office.

The child is present and appears to be at least four years of age.

-----00000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 20 day of December, 1904.

Robert L. Skaggs
Notary Public.

CR EN 85P

CR EN 85P

En. 875

Manakooe, Indian Territory, March 7, 1906.

M. L. Mott,

Attorney for Greek Nation,

Manakooe, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior, under date of February 24, 1906, affirmed the decision of the Commissioner to the Five Civilized Tribes, dated January 12, 1906, denying the application for the enrollment of Mark and Luke Gwy, both deceased, as Greek freedmen.

Respectfully,

Acting Commissioner.

No. 878

Manokos, Indian Territory, March 7, 1908.

Rose Guy,

Olatheville, Indian Territory.

Dear Madam:

You are hereby advised that the Secretary of the Interior, under date of February 24, 1908, affirmed the decision of the Commissioner to the Five Civilized Tribes, denying the application for the enrollment of your deceased minor children, Mark and Luke Guy, as Creek freedmen.

Respectfully,

Acting Commissioner.

8/9

Muskogee, Indian Territory. March 7, 1906.

Thomas A. Foreman,

Attorney at Law,

Muskogee, Indian Territory.

Gentlemen:

You are hereby advised that the Secretary of the Interior,

under date of February 24, 1906, affirmed the decision of
the Commissioner to the Five Civilized Tribes, dated January 12,
1906, denying the application for enrollment of Mark Guy and

Mark Guy, deceased, as Creek freedmen.

Respectfully,

Acting Commissioner.

HRA

COPY

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

January 24, 1906.

LAND:
8440-1906

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commissioner to the Five Civilized Tribes dated January 18, 1906, transmitting the record of the application for enrollment as Creek Freedmen of Mark Guy and Luke Guy, both deceased.

January 18, 1906, the Commissioner decided adversely to the

application.

The record shows that Mark Guy and Luke Guy, twins, were born in the winter or spring of 1901 and that they died prior to May 25, 1901.

In view of the record and of Section 7 of the act of June 30, 1902 (32 Stat., 288), the approval of the Commissioner's decision adverse to the application is recommended.

Very respectfully,

C. F. LARABEE,
Acting Commissioner.

MM
C

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COPY

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

February 24, 1906.

I.T.D. 1414-1906.
198.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

January 12, 1906, you transmitted the record of the application for the enrollment of Mark Guy and Luke Guy, deceased, infants, as Creek freedmen, including your decision dated January 12, 1906, denying said application. January 24, 1906, the Acting Commissioner of Indian Affairs reporting thereon, recommended that your decision, denying said application, be affirmed. A copy of his letter is inclosed. The Department concurs in the recommendation made, and your decision dated January 12, 1906, denying the application for the enrollment of Mark Guy and Luke Guy, deceased infants, as Creek freedmen is hereby affirmed.

Respectfully,

Thos. Ryan,
First Assistant Secretary.

1 inclosure.

En. 875

Muskegon, Indian Territory, January 15, 1906.

M. L. West,

Attorney for Creek Nation,

Muskegon, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Mark and Ince Guy, both deceased, as Creek freedmen.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

AG-75

En. 878

Washington, Indian Territory, January 18, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Mark and Luke Guy, both deceased, as Creek freedmen, including the decision of the Commissioner to the Five Civilized Tribes, dated January 18, 1906.

Respectfully,

Commissioner.

Through the
Commissioner of Indian Affairs.

AG-73

Kn. 878

Muskegon, Indian Territory, January 16, 1906.

Walter Guy,

United States Jail,

Muskegon, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of your minor children, Mark and Luke Guy, both deceased, as Creek freedmen, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

AGTO

En.875

Muskegon, Indian Territory, January 15, 1906.

Thomas A. Foreman,

Attorney for Walter Guy,

Muskegon, Indian Territory.

Gentlemen:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Mark and Luke Guy, both deceased, as Creek Freedmen.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

AD-VI

L. E. WILLIS

Dealer in General Merchandise

Buy and Sells Everything

Tallahassee, Fla. July 22, 1902

My dear Mr. Willis
I have just received your letter of the 11th inst. and am glad to hear that you are doing well. I am well and hope this finds you the same. I am sure you will be successful in all your business. I am, Sir, very respectfully,
Your obedient servant,
L. E. Willis

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| Book | Page |

Willis, L.E. P.M.
Tulsa, I.T.
Greek Nation,
July 25, 1905.

852

Return letter addressed to
Walter Guy and states said
person is in U.S. Jail at
Muskogee, I.T.

GREEK ENROLLMENT

File in Guy case

COPY.

Manroose, Indian Territory, November 27, 1903.

Rose Guy,

Oklahoma, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of November 20, 1903, in which you say you have filled out two death and birth affidavits twice, and that you were before the Commission in 1900, 1901 and 1902.

November 13, 1903, you were advised that there are on file with the Commission birth and death affidavits in the matter of the application for the enrollment of Mark Guy, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation; that it was desired that further evidence be submitted in the case; that you were required to appear before the Commission with two witnesses who know the dates of the birth and death of said child for the purpose of being examined under oath.

You are again advised that you are required to appear before the Commission with two witnesses who know the dates of the birth and death of Mark Guy, for the purpose of submitting testimony in the matter under oath.

Respectfully,

Chas. H. ...

CHR

B. A. 70

Muskogee, Indian Territory, November 13, 1903.

Rose Guy,

Clarksburg, Indian Territory.

Dear Madam:

There are on file with the Commission affidavits executed

by you relative to the birth and death of your minor child, Mark
Guy, who, it is claimed, is entitled to enrollment as a citizen of
the Creek Nation. It is desired that further testimony be submitted
in the case.

You are therefore requested to appear before the Commission

at its office in Muskogee, Indian Territory, with two witnesses who
know the date of the birth and death of said child, for the purpose
of being examined under oath.

Respectfully,

Chairman.

B. A. VI.

Muskogee, Indian Territory, November 13, 1903.

Rose Guy.

Clarksville, Indian Territory.

Dear Madam:

There are on file with the Commission affidavits executed

by you relative to the birth and death of your minor child, Luke
Guy, who, it is claimed, is entitled to enrollment as a citizen of
the Creek Nation. It is desired that further testimony be submitted
in the case.

You are therefore required to appear before the Commission
at its office in Muskogee, Indian Territory, with two witnesses who
know the date of the birth and death of said child, for the purpose
of being examined under oath.

Respectfully,

Chairman.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Mark
Guy and Luke Guy, both deceased, as Greek freedmen.

.....DECISION.....

The record in this case shows that on December 16, 1903, there
were filed with the Commission to the Five Civilized Tribes, at
Muskogee, Indian Territory, the affidavits of Rose Bernhill Guy
relative to the birth of her minor children, Mark Guy and Luke
Guy, now deceased, which said affidavits are considered as appli-
cations for the enrollment of said Mark and Luke Guy, deceased, as
Greek freedmen.

Further proceedings were had December 20, 1904, December
29, 1904, January 3, 1905, March 25, 1905, June 21, 1905, July 21,
1905, and December 21, 1905.

The evidence shows that said Mark Guy and said Luke Guy
were born in the winter or spring of 1901, and that they died
prior to May 25, 1901.

It is, therefore, ordered and adjudged that there is no
authority of law for the enrollment of said Mark Guy, deceased, and
said Luke Guy, deceased, or either of them, as Greek freedmen,
and the application for their enrollment as such is accordingly
denied.

Commissioner.

Muskogee, Indian Territory.

Wm. S. Neal

(NOTE: This testimony is taken in United States Jail at Muskogee, Indian Territory where the witness is held under an indictment for perjury; witness is either insane or is feigning insanity and obstinately refuses to answer questions.)

Henry G. Haine being sworn on his oath states that as stenographer to the Commissioner to the Five Civilized Tribes he reported the above caption said date and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Haine

Subscribed and sworn to before me this 21st day of December, 1905.

J. M. Stewart
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
IN UNITED STATES TERRITORIES, I.T. 12-21-02.

In the matter of the application for the enrollment of Mark
and Luke Guy as Creek Freedmen.

Additional Testimony.

Walter Guy being duly sworn testified as follows:

Examination by Commission:

Q What is your name? A Walter Guy.
Q How old are you? A I don't know; about 17 or 18 I think.
Q What is your post office address? A Tulsa, Okla.

(Witness appears to be at least 25 years old.)

Q You are in the United States Territory at Muskogee at present are you not? A Yes sir.
Q What are you in jail for? A Well, I don't know sir.
Q You are the father of Luke and Mark Guy, are you? A Yes sir.
Q Now, Walter, we have come here to get you to tell the truth; how long did Luke and Mark Guy live? A Well, I don't know.
Q Now, think a while and tell the truth. A Well, I don't know; I have been tangled up and bothered with so much trouble that I don't know anything much.
Q Did they live as much as one day? (No answer).
Q Answer the question. (No answer).
Q Did Luke and Mark Guy live as long as one day? A Why, let's see--
Q How long did Luke and Mark Guy live? A Well, they say they got me here for perjury; for they are telling a story, for I never was--
Q Did they live as much as one day? A Now, let's see; well, I don't know.
Q Did they live as much as one year? A Well, I will tell you that's too far off.
Q You know whether these children lived as much as one day or not; did they die the same day they were born? A It's been now about 26 days since they died.
Q Do you mean by that that they were 26 days old when they died? A About 26 days ago.
Q Well, we are talking about these children that were born in 1900 or 1901;-- 4 years ago; how long did they live? A (No answer).
Q Is John Guy your brother? A Yes sir; well, you let them straighten it the best way they can.
Q I want you to straighten it; John Guy says that these two children didn't live more than an hour; does he know about it? A John, he wasn't there; we wasn't staying there.
Q He says he came the next day and the children were dead then, is that right? A I don't know.
Q Did these children live as much as one day; now, answer that question and tell the truth; did they live as much as one day? (No answer).
Q You know whether these children lived a day or not; now tell the truth. A It's too far away; I can't remember anything like that.
Q Did you bury them the day after they were born? (No answer).

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Waxahatchee, Indian Territory, July 22, 1905.

In the matter of the application for the enrollment of Mark
Guy, deceased and Luke Guy, deceased, as citizens of the Creek
Nation.

John Guy, being duly sworn, testified as follows:

By Commissioner.

Q What is your name? A John Guy.
Q How old are you? A 23.
Q What is your post office? A Clarksville.
Q Have you a brother named Walter Guy? A Yes, sir.
Q What is the name of his wife? A Rose.
Q Did you know twins of theirs called Mark and Luke? A Yes, sir.
Q Do you know how long ago they were born? How many years ago?
A I can't remember.
Q Do you know how long they lived? A Yes, sir.
Q How long did they live? A They lived about--they didn't live long
not longer than an hour, I think.
Q Did you see them after they were dead? A Yes, sir.
Q Were you living near there when they were born? A Yes, sir.
Q Living right in the same house?
Q And you are sure they didn't live more than an hour? A Yes I am
sure of that, I saw them the next day.
Q Do you know what he called them? A Mark and Luke.
Q Did he ever have any other twin children? A Not as I know of.
Q Do you know the names of anybody who attended the burial of
those children? A I don't remember now.
Q Has your brother Walter Guy got good sense? A No, sir, he ain't
bright at all. He is my mother's oldest child, he ain't got as
much sense as a young rabbit.
Q Has his wife Rose Guy got good sense? A Neither of them ain't
right bright.
Q Are you on friendly terms with Walter? A Yes, sir, he is my
brother I ought to be.
Q If he said those children lived a year or a year and a half do
you think he knew what he was talking about? He wouldn't know
unless some one knew and had some judgment about it. You can go
to him now and he will talk about it and then he often something
else. He is just like a child. When he got off away from home it
wasn't long before he got into trouble.

I, Anna Garrison, do hereby state that the above and foregoing
is a true and correct copy of my stenographic notes taken in
said cause on said date.

Subscribed and sworn to before me this 22 July 1905.

Notary Public.

CR. No. 878.
DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I. T. JUNE 21, 1905.

In the matter of the application for the enrollment of
Mark and Luke Guy as citizens by blood of the Creek Nation.

Albert Guy, being duly sworn, testified as follows:

Examination by the Commission:
Q What is your name? A Albert Guy.
Q What is your age? A About 30.
Q What is your post office address? A Clarksville.
Q Do you know Walter Guy? A Yes sir.
Q Is he your son? A Yes sir.
Q Did he ever have a pair of twin children that were called
Mark and Luke Guy? A Yes sir.
Q How long after those children were born before you heard about
it? A I saw them the next day.
Q Who told you about it? A Why I just heard it around there at
home.
Q Those children are dead are they not? A Yes sir.
Q Did you go to the burial? A Yes sir.
Q Both were buried together were they not? A Yes sir.
Q How long after their birth you heard about their death?
A I don't remember.
Q Was it as much as a month, a year or two years or how long?
A I don't think it was more than a month.
Q Was it as much as six months? A I disremember. I don't think
it was that long.
Q How far did you live from him at that time? A I lived at
Clarksville.
Q How far is that from him? A About seven or eight miles.
Q Are you married? A Yes sir.
Q Is your wife living? A Yes sir.
Q Is she the mother of Walter Guy? A Yes sir.
Q Does she know anything about when those children were born?
A She heard of it.
Q Do you think she can tell anything better than you can,
you don't seem to know very much about it.
A I don't know whether she could or not, she might and she might
not. It's been so long since that has been and I have never
thought of it at all.
Q Well if those children lived as long as six months or a year
why you would remember that, wouldn't you? A Yes sir.
Q You don't think they lived as long as that? A No sir.
Q Has your son Walter Guy good senses? A No sir, he hasn't got
good senses.

John Merriam, being duly sworn, states that the above and
foregoing is a true and correct transcript of her stenographic
notes as taken in said case on said date.

John Merriam

Subscribed and sworn to before me this 22nd day of June, 1905.

John Merriam
Notary Public

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE TERRITORY, MARCH 23, 1900.
TERRITORY, MARCH 23, 1900.

En. 275.

-00000-

In the matter of the application for the enrollment of lands and Lark Guy, both deceased, as citizens of the Territory.
APPEARANCES: THOMAS & JOHN W. A. Attorneys for applicants.

THE COURT, being duly sworn, testified as follows:

EXAMINATION BY COMMISSIONER:

Q What is your name? A Lark Guy.
Q How old are you? A Fifty years old.
Q What is your postoffice address? A Larksville.
Q Are you related to Walter Guy? A I am a brother-in-law.
Q Are you a brother of the late Lark Guy? A I am the husband of his sister.
Q Did you know of him? A Yes, I knew him, and I saw him and
Lark Guy? A I heard of them, but never seen them.
Q Who told you? A The late Lark Guy.
Q What did he tell you? A He told me that two twin children and they
did not live.
Q Did he say about how old they lived to be? A He said that one
lived about a half an hour, but did not say how long the other
one lived, or if it was born dead or not.
Q What is the name of the late Lark Guy? A Yes, his sister.
Q What is her name? A Nellie Guy.
Q Where does she live? A At Larksville.

EXAMINATION BY COUNSEL:

Q Did Walter tell you about these children? A Yes.
Q Where? A At the house--it must have been there, or some place else.

BY COMMISSIONER:

G. W. BRADLEY, being duly sworn, testified as follows:

Q What is your name? A G. W. Bradley.
Q How old are you? A 31.
Q What is your postoffice address? A Larksville, I. T.
Q Did you ever have any dealings with Walter Guy about a pair of
mules? A I did.
Q Did you sell him those mules? A Yes, sir.
Q When did you sell those mules to him? A I do not know exactly,
but it was sometime in March.
Q Did he pay cash for them? A No, I took his note for them.
Q I sold the mules in Muskogee; he took them out in the country--
I went up there to his place and found that he was not on the
land that I expected him to get, and he didn't seem to be doing
anything, so I told him that I did not see how he could pay for
them and that I would sell them to someone else.
Q Did he give up the mules? A Yes, I sold the mules--I was in

Q Any of your grandchildren are citizens? A I have one grandchild who ought to be.

WITNESS EXCUSED.

Elise E. Ashton, being first duly sworn, states that, as stenographer to the Commission on the Five Civilized Tribes, she reported the proceedings had above, and this is a full, true and correct transcript of her stenographic notes.

Elise E. Ashton

Subscribed and sworn to before me this 14th day of January, 1905.

Robert B. [Signature]
Notary Public.

Q You are no skin to these folks? A No, sir.
Q in view.
Q me about it. He told me a long time ago that he had got it
Q cotton picking? A I said that was when he came up and told
Q He never spoke to you about getting out papers until the last
Q out papers for them.
Q It was away yonder when he came by and told me he was taking
Q Now didn't you state that he came to you about a year ago?
Q This last fall? A Yes, sir.
Q Haven't you any ideas? A Folks were picking cotton.
Q About how many? A I don't know.
Q How many months ago? A I don't know, sir.
Q When was that? A Away before Christmas.
Q children and wanted me to go with him and help fix it up.
Q I cannot tell, but he said he had got out the papers for his

EXAMINATION BY COMMISSION:

Q You spoke of a son who was in jail in Muskogee. What is his
Q name? A Joe Watkins.

EXAMINATION BY MR. MOTT:

Q Is there any people that lived closer to these people than you
Q did? A Yes, sir.
Q How many families do you suppose there were who lived nearer
Q to them than you did? A I don't know.
Q How near did any of them live? A I don't know.
Q Were there several families lived nearer than you did?
Q No, sir.
Q You lived two miles? A Yes, sir.
Q There were more folks living between you and them?
Q Yes, sir, but I don't know who they were.
Q There were a good many people at the funeral? A Yes, sir.
Q Right smart.
Q Don't you know anybody at all that was there at the funeral on
Q that date; can't you name anybody who was there who is no skin
Q to him?
Q My Joe, and Ada.
Q Were there 25 people at the funeral? A No, sir.
Q These are the only two you can say were at the funeral who were
Q not skin to these people? A Yes, sir.
Q What day of the month was it they were buried? A About the
Q 15th of the 18th of the month.
Q Of what month? A May.
Q They were born upon what day? A February 15th.
Q How old is your youngest grand child? A Eight months old.
Q What day was it born? A I don't know.
Q What month was it born? A In April.
Q You don't know what day? A No, sir.
Q How old is your next youngest grandchild? A Dewey is about
Q four years old.
Q What day was he born? A I don't know.
Q You are not a Greek citizen? A No, sir.

Q Didn't say a word about it? A He asked me if I was ready to come.
Q Who is paying for coming here? A He one.
Q Didn't it cost you anything to come here? A I paid across the bridge.
Q Was anything said about paying you before you came? A No, sir, nothing said about it; I don't see why they should pay me.
Q How far do you live from here? A About twelve miles.
Q Did you walk? A No, sir.
Q How did you come here? A In a buggy.
Q Whose buggy? A I don't know.
Q How did you get the buggy? A A man was driving by and I came with him.
Q Did you know him? A No, sir.
Q Did he charge you anything? A No, sir.
Q Did you tell him anybody would pay him? A No, sir, he was coming to town and let me ride.
Q When the father of these children came to you and asked you to testify in this case, did you tell him you had no way to get here? A No, sir.
Q What did he say? That he would pay you for coming? A No, sir, he said I could come with him folks, they were coming in, but they didn't come.
Q You have come here, then, twelve miles, and will go back twelve miles, and pay your way across the bridge, and you expect me to pay from anyone? Is that not?
Q No, sir, I didn't come here just for that purpose. I came to see whether my boy was in jail.
Q Did you ask him to pay your way back across the bridge? His wife said Walter would pay my way back.
Q Do you know that these children were not put in the same grave? No, sir, they were too large, so he put in the same coffin.
Q Do you know that they were not buried in the same grave? I said before that there were two separate graves.
Q What kind of weather was it when these children died? Sunshine weather.
Q Cold? A Terrible cold.
Q Snow on the ground -- and ice? A No, sir, but the wind was blowing from the north.
Q What season of the year? A Spring.
Q Had you planted corn? A Planted corn and some cotton too.
Q Was it up? A Yes, sir, the crop was up.
Q When these children were buried? A Yes, sir.
Q What season was it they were born? A In February.
Q Was it cold weather then? A Yes, sir.
Q Had you planted corn then? A No, sir, you know we don't plant corn then.
Q What month did you say they died in? A In May.
Q What day of the month? A About the 15th or 16th.
Q What makes you think it was the 15th or 16th? What time it is your mind? What recollection can you recall about that time that time it is your mind?
Q That day they died, they was all sitting about it, and George Fannagan had just died about the same time. One of his died this month and one died the next month.
Q Tell the story again. It you say, what time they died was the same and said they wanted to be buried in this case. Now look after these children died.

EXAMINATION BY COMMISSION:

Q You said that you had a grandchild born about the time these
twins were born. Now what day of the month and year was that
grandchild born?
A They were born the same day, the same time.
Q What time was that? A February 15, 1901.

EXAMINATION BY MR. WOTT:

Q Have you any children? A All my children are grown.
Q How old is your eldest child? A I don't believe I could
tell that.
Q What year was he born? A In '88.
Q What month? A Three weeks of Christmas.
Q What month? A I don't know.
Q Three weeks before Christmas? A Yes.
Q What month? A January, I guess.
Q When was the youngest one born? A I don't know when she was
born.
Q What month? A September 4th.
Q What year? A I don't know.
Q When were you first approached and asked to be a witness in
this case? When did you first know you were going to be asked
to testify in this case?
A They have been speaking to me away last year.
Q Who came to you about it? A The child's daddy.
Q Did he ask you if you knew what month they were born in?
A Yes, sir, because he knew I knew. He asked could I remember.
Q Did you tell him? A Yes, sir, I guess I did. I told him
and he said "Yes, that was exactly right."
Q That was when? A I don't remember.
Q Did he ask you what day they died? A Yes, sir, I told him.
Q You told him the day of the month and the year? A Yes, sir.
Q Did you know the date of the death of these children who are
no kin to you? Then why can't you tell the date of your own
children's deaths?
A I didn't have the sense then I have got now.
Q What day is that? A The day of January.
Q How old -- you say your oldest child was born three weeks before
Christmas and that was in January? A I don't know whether
it was January or February.
Q Where is the father of these children? A He is here, down-
stairs.
Q Did you talk to him about this case today? A No, I didn't
have time.
Q Did you come here with him? A I came here by myself.
Q Did he know you were coming today? A Yes, sir, but he
was to come.
Q Where did you meet him? A On the street, in Turner's Ward-
were there.
Q Did you talk the case over with him? A No, sir.

EXAMINATION BY MR. FORSMAN:

Q You said that these children died in May, the 18th or 19th?
A That year was that?
Q 1902.
A Were you there at the house after the children died?
Q Yes, sir.
A Did you see the children? A Yes, sir.
Q Did you help prepare them for burial? A No, sir, they were
already prepared when I got there.
Q Do you know Ada Seliger? A Yes, sir.
Q Who is she? A She was the mid-wife; she was there before
I got there.

EXAMINATION BY MR. MOTT:

Q Have you been examined before in this case? A No, sir.
Q How far did you live from these people? A About 2 1/2 miles.
Q How old were the children when you saw them first? A About
five or six hours old.
Q How old did they live to be? A About eighteen months old.
Q Did you see them off and on in the meantime? A Yes, sir,
off and on.
Q All the time during their lives? A Yes, sir.
Q Were you there the day they died? A No, sir.
Q Were you there after they died? A Yes, sir, Doctor Rye came
back and told me they were dead and I went over the next morning.
Q Were you there at the burial? A Yes, sir.
Q How far apart were the graves? A I don't know.
Q How many feet apart? A I couldn't tell you how many feet.
Q Were they two or four or six feet apart? A Just alone
together. Two little vaults.
Q Did you help carry one of the coffins? A No, sir.
Q Didn't help carry them? A No, sir, it isn't the custom for
women to do that; men did that.
Q How many men at each coffin? A Just one man at each coffin.
Q Did they carry them in their arms or in wagons? A In their
arms.
Q Did they go along together -- the men who were carrying the
coffins?
A Yes, sir, they must have done.
Q Which did they put first into the ground? A I cannot tell.
Q Don't know which one they let down first? A No, sir.
Q Did they leave one on top until they finished burying the other?
No, sir, let them both down and covered them both at once.
Q There were two coffins? A Yes, sir.
Q Were there two graves? A Yes, sir, I told you that at first.
Q What year was it, now, you say these children were born?
1901.
Q Why do you say that? A Because that was the year.
Q Do you know that to be a fact? A Yes, sir.
Q What month? A February.
Q February, 1901? A Yes, sir, February, 1901.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE INDIAN TERRITORY,
January 3, 1908.

Greek 878.

Supplemental testimony in the matter of the application for the
enfranchisement of Luke and Mark Guy, both deceased, as Greek Freedmen.

APPENDICES:

THOMAS A. FORKMAN, Attorneys for applicants,
M. L. MOTT, Attorney for the Greek Nation.

EXAMINATION BY COMMISSION:
Angeline Graves, being first duly sworn, testified as follows:

Q What is your name? A Angeline Graves.
Q Your name was Watkins? A Yes, sir.
Q How old are you? A My next birthday, the 17th of March, I
will be 83.
Q What is your postoffice address? A Clarksville.
Q Are you a citizen of the Greek Nation? A No, sir, states
woman.
Q Do you know Walter Guy and his wife, Rose Bettyhill Guy?
A Yes, sir.
Q Do you know two children named Luke and Mark Guy? A Yes, sir.
Q Did you live near them when these children were born?
A Yes, sir, but I wasn't there at the time; but my daughter was
there.
Q How near did you live to them when these children were born?
A About two miles.
Q You were not present when they were born? A No, sir.
Q How long after they were born before you saw them? A He came
after me after they were born and I went there.
Q When was Mark Guy born? A What year? In 1901.
Q What day and what month? A The 18th day of February, 1901,
as near as I come at it.
Q When was Luke Guy born? A They was two twins.
Q Do you know when Mark Guy died? A Yes, sir, they died in
May, about the 15th or the 16th.
Q When did Luke Guy die? A Both of them died the same month
of the same kind of fever.
Q Did they both die the same day? A I guess they did.
Q Were you present when they died? A No, sir, not right there.
Q How far did you live from these people when these twins died?
A Just about the same distance.
Q Did you go to the funeral? To the burial? A Yes, sir.
Q Did they have a doctor when these children died? A Yes, sir,
when they were alive.
Q Where were they alive? A Some back to Arkansas.
Q What time of the year were these children born? A On the
18th of February, 1901. You do remember that?
Q I remember it is in Arkansas's birthday; it was about the
same day.
Q How did you know when they died? A About fifteen
months ago, I guess.

Wn. 878.---8.

Upon application of the attorneys for the applicants this case is continued for thirty days in order that they may introduce further evidence.

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I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 20 day of December, 1904.

Robert Skaggs
Notary Public.

Do you remember how long it was after that time until you moved down there? A No, sir, I don't know how long it was.

WALTER GUY, being duly sworn, testified as follows:

By Commissioner:

Q How old were these children of yours when they died? A They were something in the neighborhood of eighteen months old or a little over. Q Were there any other children born in that neighborhood about the same time your children were born? A Yes, sir.

Q What was Jack Ashford's child?

Q Is Jack Ashford a citizen of the Greek Nation? A No, sir.

Q Was there any other born about the same time? A No, sir.

Q Did any one die over in that neighborhood about the time your children died? A No, sir.

Q Jack Ashford's wife a citizen of the Greek Nation? A No, sir, he was a traveling man and he stopped down there close--right there on the Verdugo River.

Q Who is your nearest neighbor? A That fellow was the nearest neighbor.

Q Who was that? A Jack Ashford.

Q I thought you said he was just camping there? A He was just camping there.

Q Who was your next nearest neighbor? A George Robinson.

Q What is his post office address? A Wagoner.

Q Have you any other near neighbors? A The only near neighbors I had then was at Coweta. When I was out there that place was just a great big pasture and you would just find a house every two or three miles apart.

Q Who was present at the funeral? A This man Davidson.

Q Who else? A Joe Watkins.

Q Where is Joe Watkins? A He is upper half and chain some where.

Q Who else was there? A Ada Sellers.

Q Where is she? A She is in Oklahoma.

By Mr. Foreman:

Q When did these children die? A They were born 1901, February 18, and lived to 1902, May 18, 1902--you understand it--that is just it and I can't make it any better or worse.

Q Do you know how many years ago it was that they died? A They died 1902, 18th day of May--now from May-----if I could figure it up I could tell you.

Q Can you read? A Yes, sir.

Q Do you know what year this is? A Yes, sir.

Q What year is it? A This is 1904.

Q Do you know what month this is? A Indeed--this is December 29--

---aint it.

Q Then it is something like two years and a half ago that they died?

A It is something like two years and a half--it is a little over two years ago that they died.

Q Was it in the winter or summer? A I reckon it was in the summer--people had crops in the ground.

Q Were you working yours? A No, sir, I didn't work any crop that year.

Q Other people were working theirs? A Yes, sir, the next year I made a crop.

By Commissioner:

Q How many crops have you made since they died? A I understand to make two crops--I planted but never worked it--the grass took it. I have had a chance to make two or three crops since they have been dead.

Q I don't believe I did.
 Q How long has it been since you attended the funeral of these children? A I can't tell you--I ain't able to tell you how long since they been dead.
 Q What work were you engaged in at the time these children were buried? A I was railroaded but when I heard of their death I come to see them.
 Q What railroad were you working on? A Tri-see.
 Q Did you go back to work on the railroad after the funeral? A Yes, sir.
 Q How long after the funeral until you went back to work on the railroad? A The next day after that I was in Tulsa and I went back on the railroad.
 Q When how long did you work on the railroad? A I been railroaded from then right up to now.
 Q Now, how long did you work on the railroad after that funeral? A I worked there a while and went to Kansas.
 Q How long did you stay in Kansas? A Three months.
 Q When where did you go? A I came back to the Territory.
 Q When what did you do? A Went to Railroad.
 Q When how long did you work on the railroad? A I worked on the railroad six months.
 Q When what did you do? A Come off that road and worked on the Choctaw Road.
 Q How long did you work on the Choctaw Road? A I worked on the Choctaw Road about five months.
 Q Then what did you do? A Went back to Kansas again.
 Q How long did you stay in Kansas that time? A About two months I guess.
 Q Then what did you do? A Worked out on the farm about two months.
 Q Then what did you do? A Done nothing--just frolicked around.
 Q How long did you frolic around? A About two weeks I guess.
 Q Does that bring you up to now? A I railroad all last year until last August.
 Q What is since you frolicked around that you went to railroad and quit last August? A Yes, sir.

By Mr. Foreman:
 Q How long have you been living in the neighborhood of Guy? A In and out twenty years.
 Q How long have you been living within a mile of Guy's house? A Going on two years.
 Q Did you move there in the winter? A Two years ago this February coming.
 Q How long before you moved there was it that these children died? A I don't know--you ask me something I have forgotten all about.
 Q Have you any idea whether it was one year or two years before you moved there that these children died? A I think it was between two or three years.

By Commission:
 Q Are you well acquainted in that neighborhood over there? A Yes, sir.
 Q Were there any other children born over there about the time these two children were born? A I guess there was but I ain't able to tell you the name of any of them.

By Mr. Foreman:
 Q Were you railroaded at the same time these children died? A Yes, sir. I was on the railroad and heard that they was dead and that laid off a couple days and come up to see them.
 Q Where were you living then? A My home then was in Kansas City but I had been working all through this Territory for twenty years.
 Q Did you have any regular place in the territory where that you called home at that time? A No, sir.

Q When you first saw them did the parents, or either one of them, tell you that the children were born in February? A The neighbors told me that.

Q What neighborhood? A Barry Hill.

Q Who else? A R. W. Rose.

Q What is his post office address? A Tallahassee.

Q Do you know about the time these child, or either one of them, died? A I heard they were dead--it was in May I think--in May or April, I don't remember which but it was one of the two--about 1902 I think.

Q Did they die the same year they were born? A No, sir, I don't think so.

Q About how old were these children when they died? A I don't know. I didn't stay around there and see. I just went there and seen them and went to the burial.

Q When one of these children died first? A On died in the morning and one in the evening.

Q Did they die the same day? A Yes, sir.

Q About how old were these children the last time you saw them? A I ain't able to say. I think when I saw the chaps--I disremember whether they were three months old or four.

Q Was that the last time you saw them? A Yes, sir, until they was dead.

Q Did you see them after they were dead? A Yes, sir, seen them in the coffin.

Q Was the coffin open? A Yes, sir.

Q How old did they appear to be when you seen them in the coffin? A Two or three years old.

Q About how long was it after you first saw these children until you was at their funeral? A I don't know because after I first saw them until they was dead I had been four or five hundred miles and came back and heard they was dead and just came and seen them.

Q A man might travel a thousand miles and get back in two or three days? A Well, but I wasn't coming back.

By Mr. Foreman:

Q What made you go there to see these children? A Just because I just went and seen them.

Q I mean when you first saw them--was there a good deal of talk about the twins? A Yes, sir. I had twins myself and I wanted to see them two.

Q Do you think they were three or four months old when you first saw them? A I ain't sure.

Q If they were born in February what time of the year was it that you saw them? A It was along up in June or July.

Q Did they die the same year that you saw them or was it the next year? A Now, I don't remember whether it was the same year.

Q You said they died sometime in May and you saw them in June--was it the May following the June that you saw them when they died? A I think it was somewhere along in there. I couldn't remember how long it was because my mind was not here only when I was taken.

Q Was it several weeks or months after you saw them that they died? A It seems to me like it was a year--going on two years--I disremember.

Q You think it was something like a year after you saw them that you went to their funeral? A Yes, sir. To be positive I couldn't say but I think it was something like a year or a year and a half.

Q Do you know Rose Guy, the mother of these children? A Yes, sir.

Q What do you know about the condition of her mind? A Well, she is quite weak minded but she is a smart woman. She can't count or couldn't tell you nothing but otherwise she seems to be a very smart woman.

By Commission:

Q Did you attend any other funerals over there about the time you did these children--just a short time before or after? A No.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskegee, I. T., December 28, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Luke and Mark Guy, deceased, as Creek Freedmen.
APPEARANCES: Thomas and Foreman Attys. for applicants.

ROSE GUY, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Rose Guy.
Q How old are you? A I don't know sir.
Q About how old are you? A I don't know how old I am.
Q What is your post office address? A Tallahassee.
Q Did you have two children that are now dead? A Yes, sir.
Q What were their names? A One was named Luke and one was named Mark.
Q Were they twins? A Yes, sir.
Q They are both dead are they? A Yes, sir.
Q When did Luke die? A I don't remember when Luke died.
Q What kind of weather was it when he died--cold or warm? A Cold.
Q What kind of weather was it when Mark died? A It was cold I think.
Q How old was Luke when he died--as near as you can come at it? A I don't know how old he was.
Q Which lived the longest? A Luke I think.
Q How much longer did he live than Mark? A I don't exactly know how long Luke lived.
Q Do you know in what month Luke died? A I think Luke died in February.
Q Do you know in what month Mark died? A I just don't recollect.
The witness was not examined further for the reason that she is, clearly, not mentally capable of giving competent testimony.

HENRY DAVIDSON, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Henry Davidson.
Q How old are you? A Fifty-two.
Q What is your post office address? A Tallahassee.
Q Are you a citizen of the Creek Nation? A No, sir.
Q Is your wife a citizen of the Creek Nation? A No, sir.
Q Do you know Walter Guy? A Yes, sir.
Q Do you know his wife? A Yes, sir.
Q How far do you live from them? A About a mile.
Q How long have you lived that near them? A Twelve or two years.
Q Then I lived a couple years ago a little farther than that.
Q Did you know some children of theirs named Luke and Mark? A I heard of them, and seen 'em.
Q How far did you live from them when these children were born? A When they were born I guess I was about ten miles from them.
Q Did you hear about the children soon after they were born? A Yes, sir, and I just quit work and went to see them.
Q When was that? A That was 1902 well as I remember.
Q In what month were they born? A February--that what they give me when I went up there and seen them.
Q In what month was it you first saw them? A I don't know because they was a month or two months old when I seen them.

Q Why didn't your wife come in today? A She is in bed sick.
 Q How long has she been in bed? A About 2 weeks.
 Q Do you know what is the matter with her? A Yes sir.
 Q No you know what it is? A Some folks call it hip belly; let have
 crills.
 Q Have you a doctor attending to her? A No sir.
 Q Is she sick in bed? A Yes sir; she gets up about 12 o'clock and
 stays around a while.

The witness is notified that it will be necessary for him to
 have his wife, Rose Berryhill, appear before the Commission and give
 testimony in this case, and M.J. White and Henry Sellers and Joe Watkins
 and that he will be allowed thirty days time within which to offer
 further evidence.

Henry G. Haines being sworn on his oath states that an stenographer
 to the Commission to the Five Civilized Tribes he reported above
 case and that this is a full, true and correct transcript of its sten-
 ographic notes in same.

Henry G. Haines

Subscribed and sworn to before me this 21st day of December, 1904.

Robert J. Haines

Notary Public.

Q Had you another wife? A No sir; I used to have a girl a good while ago.

Q No do you happen to remember the day of the month that these children were born on? A Well, when a fellow knows anything he just knows it.

Q Did you look at a calendar or almanack that day? A No sir.

Q How do you know it was the 15th of February? A I know it very well.

Q Do you know what day of the month it is today? A I guess so.

Q What is the day? A The 15th or 17th; one of them I believe.

Q Do you know what day Washington's birthday comes on? A No sir.

Q Do you know when New Years comes? A Well, I know when somebody says it's New Years.

Q How long after New Years were these children born? A It was after January and January had passed and February - the 15th of February, one night about 9 o'clock, that thing took place.

Q When you made out those affidavits did you give the dates to the Notary Public? A Yes sir.

Q Did he write them out? A Yes sir, I give him what dates I knowed.

Q You are sure you knew the dates at that time? A Well, yes, at that time I am satisfied I told him the date.

Q Well, at that time you said that Mark and Luke Guy were born on the 15th of February, 1900, and now you state they were born in February, 1901? A Yes sir, that's what I told you--unless I made a mistake--and they were born too long. That's what I told Mr. Bradley.

Q Did Bradley hold a mortgage on some of your stock? Did you borrow money from him? A He was working for Mr. Turner and I owed him some money.

Q Did you borrow that money from Turner? A I bought a span of mules from Mr. Turner.

Q Did you sign a paper for them? A Yes sir.

Q And Turner held that paper? A Yes sir.

Q And you say that Bradley came and closed you out? A Yes sir, Mr. Turner came and sold me out and he knows the time better than I can.

Q When he closed you out did he sell your span of mules? A No sir; he sent out and got those mules and brought them in here and sold them and kept them in the yard.

Q Well, when you bought those mules when was that? A I disremember when it was; whether it was 1901 or 1900.

Q How long before Mark and Luke were born did you buy those mules? A I bought them I think about 4 weeks before they were born.

Q How long after they were born before he closed you out? A Just about a week, cause I was laying there taking care of the children and they come and got them.

Q Is that Mr. Turner of the Turner Hardware Company? A Yes sir.

Q And Mr. Bradley attended to that matter for him? A Yes sir.

Q What is his name? A Of the Bradley Real Estate Company. He knows better about it than I do.

Q Has your wife gotten some land? A Yes sir.

Q When did she get it? A I don't know sir what year she got it.

Q Were these children born before or after she got the land? A Afterwards.

Q How long afterwards? A Pretty good jump afterwards. But how many years I don't know.

The records of the Commission show that a citizenship certificate was issued to Rose Berryhill April 7, 1899.

Q Why haven't you come here before and given testimony in the case? A You see I thought you gentlemen were the same men as were here before. I thought you all had everything fixed and I thought you all were just keeping on trying to make me tell a lie; but you are not the gentlemen I thought.

Q Have you any other children besides Mark and Luke? A Yes sir, but not by my wife.
Q Father-in-law where I am living now.
Q Did you make any after that? A I made a crop with my father at Clarksville, and didn't find any more then until I came down here to my father-in-law.
Q How many crops have you made since Luke was born? A I made a crop the same year they were born and the next year - I got a crop there at Clarksville and then they died; I made a crop the year they died.
Q Have you been doing any farming since these children were born?
A Yes sir; I have made some crops.
Q How long had Mark and Luke Guy been dead when you made out the first of those affidavits? A I didn't keep no count, but I know when they was born and when they died, but the other I didn't pay any attention to.
Q Do you remember what you said in the affidavits about the death and birth - the dates? A No sir.
Q Do you remember what you said in the affidavits about the death the first and death of these children? A Yes sir.
Q During the year 1902, in August, you made out some affidavits about the death of these children? A Yes sir.
Q What year did you say Mark and Luke died in? A 1902.
Q Has it been less or more than three years? A I can't tell you that.
Q How many years ago is that? A It's been very near three years ago;
Q What year did you say these children were born in? A 1901.
Q And I said: "You better keep count - you might." And he said I don't think that will ever be.
Q They said they aint in time for land, they ought to be born sooner; state here and said: "I have got two of the biggest boys you ever seen; here next within a week after it was born to this house here, down Bible or other book? A No sir; the record I tried to make - I come over Q When that child was born did you make any record of it at all in the Q Did you have any fun rail sermon preached for that child? A No sir.
Q Is he a citizen of the Greek Nation? A No sir, he is a citizen of the United States.
Q I met him occasionally.
Q Does he live here? A Yes sir, he stays in Wagoner a while and Porter nearly a year; his mother is at Clarksville; he is a state me.
Q Does he live there or is he gone on a visit? A He is working there pretty soon.
Q Where does Joe Watkins live? A In Kansas City; he will be back only ones close neighbors and they helped me to bury them.
Q Where does Henry Sellers live? A In Oklahoma with Ada, his wife.
Q Did you buy any burial material to bury them? A No sir, I had a big bread box and Henry Sellers and Joe Watkins and White they are the air, there was no doctor out there to us at all.
Q Did you have a doctor to attend them in their last illness? A No Q What sickness did they die of? A Just anaking too long.
Q How old was Luke Guy when he died? A He was somewhere about 18 months old.
Q What month did you say they were born in? A February.
Q What year did you say they were born? A 1901, if I make no mistake his boys.
Q Were these children twins? A Yes sir, they are twins; two great Q When was Luke born? A He was born on the 15th of February, 1901.
Q Did you have another child besides Mark? A Mark and Luke.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. DEC. 20, 1904.

H.A. & D.A. 70-71---

In the matter of the application for the enrollment of Luke Guy
and Mark Guy as Creek Freedmen.

August 4, 1902, an affidavit relative to the birth of Mark
Guy, and August 24, 1902, an affidavit relative to the birth of Luke
Guy were filed with the Commission at Muskogee, Indian Territory, which
said affidavits are considered applications for the enrollment of said
Mark and Luke Guy as Creek Freedmen.

Walter Guy being duly sworn, testified as follows:

BY COMMISSION:
Q What is your name? A Walter Guy.
Q How old are you? A About 24.
Q What is your post office address? A Tahlequah Mission.
Q Are you a citizen of the Creek Nation? A No sir.
Q Have you a child named Mark Guy? A Yes sir.
Q Is that child living? A No sir.
Q When did that child die? A 1902, May 18th.
Q Well, how old was Mark when he died? A If I make no mistake he
was somewhere about 18 months old anyway.
Q When was Mark Guy born? A 1901; if I make no mistake the 15th of
February.
Q Who was the mother of Mark Guy? A Rose Berryhill; she's my wife now.
Q Is she a citizen of the Creek Nation? A Yes sir.
Q Is she living? A Yes sir.
Q How long has Mark Guy been dead? A Well, he died on the 18th of
May, 1902, but how long I can't say.
Q Do you know what year this is? A Yes sir.
Q What year is it now? A This is 1904.
Q Do you know the month? A December.
Q Can you read and write? A Not much.
Q Did you ever write down in a book, a file or anything like that, the
date of the birth of Mark Guy? A No sir, never did.
Q Or anything about his death? A No sir.
Q Were you present when he was born? A Yes sir.
Q Who else was? A Me and Amy Sellers and Joe Watkins.
Q Were any of these people a doctor? A No sir.
Q Was Amy Sellers the midwife? A Yes sir.
Q Is she living? A Yes, I reckon.
Q Where is she? A Oklahoma somewhere; she was to be in Oklahoma City
I have written there several times and I can't get any answer.
Q Did you write there to the post office? A Yes sir.
Q And your letters were returned to you? A Yes sir.

Rose Berryhill is listed for enrollment on Creek Freedman card,
Field No. 632 and her name is contained in the partial list of Creek
Freedmen approved by the Secretary of the Interior March 13, 1902,
No. 2408.

CR EN 852

CR EN 852

Or An 874

Manakoo, Indian Territory, August 2, 1908.

Wardley Goat,

Holbrookville, Indian Territory.

Dear Sir:

You are hereby advised that the name of your deceased minor child, Willie Goat, is contained in the partial list of citizens by blood of the Creek Nation approved by the Secretary of the Interior July 31, 1908, and that application for a selection of land in the Creek Nation for the heirs of said child may now be made at the office of the Commissioner to the Five Civilized Tribes, in Muskogee, Indian Territory.

An entire allotment of 100 acres must be selected at the time of the original application.

Respectfully,

Acting Commissioner

67-12. 274.

Muskogee, Indian Territory, April 21, 1902.

M. I. Hoff,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Salie Gost as a citizen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be allowed fifteen days from the date hereof within which to protest against said decision, and if, at the expiration of that time, no such protest has been made, said Salie Gost will be regularly listed for enrollment as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

IM-4-21-02.

888

B. A. 61.

Muskegon, Indian Territory, September 28, 1903.

Wardley Gost,

Holdenville, Indian Territory.

Dear Sir:

There are on file with the Commission affidavits executed by you relative to the birth and death of your minor child, Gailie Gost, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further testimony be submitted in the case.

You are therefore required to appear before the Commission at its office in Muskegon, Indian Territory, with two witnesses who know the dates of the birth and death of said child, for the purpose of being examined under oath.

Respectfully,

Chairman.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

17. BE. Application for Enrollment, as a citizen of the
Nation, Creek
Name of child, born on the 23rd day of November, 1897
Name of Father: Marshall Book, a citizen of the Creek Nation.
Name of Mother: Annie Book, a citizen of the Creek Nation.
Post-office, Okmulgee, O. T.

AFFIDAVIT OF MOTHER

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District, Muskogee

I, Marshall Book, on oath state that I am
years of age and a citizen of the Creek Nation;
that I am the lawful wife of Annie Book, who is a citizen of the Creek Nation, that a female child was born to me on the 23rd day of November, 1897, that said child was named Annie Book.

WITNESSES TO MARK

(Must be Two)
Witnesses

Subscribed and sworn to before me this 13th day of September, 1901.
W. A. Walker
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District, Muskogee

I, Annie Book, on oath state that I
was the wife of Marshall Book, and that there was born to her on the 23rd day of November, 1897, a female child; that said child is now living and is said to have been named Annie Book.

WITNESSES TO MARK

(Must be Two)
Witnesses

Subscribed and sworn to before me this 13th day of September, 1901.
W. A. Walker
NOTARY PUBLIC

IN RE
Application for Enrollment of

INFANT CHILD

Walter Scott
as a citizen of

Nation *Cherokee*

Approved *180*

Commissioner

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

FILED

Oct 2, 1901

ACTING CHAIRMAN

Muskogee, Indian Territory.
APR 20 1902

Commissioner.
[Signature]

Commissioner.
[Signature]

Chairman.
[Signature]

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(31 Stat., 861), and it is so ordered.
of Congress, June 28, 1898 (30 Stat., 492), and March 1, 1901
of the Creek Nation in accordance with the provisions of the acts
Sallie Goat, deceased, should be enrolled as a citizen by blood
It is, therefore, the opinion of the Commission that said
April 1, 1899, and that she died December 16, 1899.
further shows that said Sallie Goat, deceased, was born prior to
1902, Roll Numbers 5483 and 5484, respectively. The evidence
and Sallie Goat are contained in the partial list of Creek citizens
records of the Commission shows that the names of said Wardley
minor child of Wardley and Sallie Goat, and an examination of the
The evidence shows that said Sallie Goat, deceased, is the
were had December 10, and December 17, 1904.

as an application for the enrollment of said Sallie Goat, deceased,
Territory, which said affidavits are considered by the Commission
Sallie Goat, were filed with the Commission at Muskogee, Indian
affidavits of Wardley Goat, relative to the birth and death of
The record in this case shows that on October 2, 1901, the

---: D E C I S I O N :---

Goat, deceased, as a citizen by blood of the Creek Nation.
In the matter of the application for the enrollment of Sallie

--:O:--

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

No. 874.
H.C.C.

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the death of *Garvin Boat*
(Here insert name of deceased.)
a citizen of the *Creek*
Nation, who formerly resided at or near
Garvin Boat, and died on the 16th day of *December*,
1899
(Here insert name of post office.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of *Western*
I, *Garvin Boat*,
years of age and a citizen, by *Garvin Boat* of the
Nation; that my post office address is *Garvin Boat*,
Ind. Ter.; that I am
of the *Creek* Nation;
and that said *Garvin Boat*
died on the 16th day of *December*, 1899.
Witnesses to Mark:
Must be Two (Witnesses)

Subscribed and sworn to before me this 16th day of *December* 1901.
W. D. McLaughlin
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of *Western*
I, *Garvin Boat*,
years of age, and a citizen, by *Garvin Boat* of the
Nation; that my post office address is *Garvin Boat*,
Ind. Ter.;
that I was personally acquainted with *Garvin Boat*,
who was a citizen, by *Garvin Boat* of the *Creek* Nation;
and that said *Garvin Boat*
died on the 16th day of *December*, 1899.
Witnesses to Mark:
Must be Two (Witnesses)

Subscribed and sworn to before me this 16th day of *December* 1901.
W. D. McLaughlin
Notary Public.

42

IN RE
THE DEATH OF

Johnnie Galt
a citizen of the

Nation.

Approved

Commissioner.

Johnnie Galt
-Galt (and 1707

10/2/01

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

FILED

Oct 10 1901

ACTING CHAIRMAN.

A. 61.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Holdenville, I. T., December 17, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Sallie Goat, deceased, as a citizen by blood of the
Greek Nation.

WADLEY GOAT, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Wadley Goat.
Q How old are you? A Thirty-five.
Q What is your post office address? A Holdenville.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Little River, Miss.
Q You have heretofore given testimony in this case have you?
A Yes, sir.
Q You stated in your former testimony that you had a record of the
birth and death of your daughter, Sallie, have you that record with
you? A Yes, sir.

The witness presents a pocket memorandum-book in which
appears the following entry, written in the Greek language,
which is translated by the Official Interpreter as follows:
"Sallie Goat born Nov. 23, 1897, and died Dec. 16, 1899."

Q Who made this record? A I did.
Q When did you make this record in regard to the birth of Sallie?
A I made the record of her birth at the time she was born and I made
the record of her death at the time she died.
Q Did you make the record of her birth on the same day that she
was born? A Yes, sir.
Q Did you make the record of her death on the same day that she died?
A No, sir, about four days afterward.
Q Is this the only record you ever made relative to the birth and
death of Sallie? A Yes, sir.
Q Is this record correct? A Yes, sir.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 29 day of December, 1904.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE RIVER CIVILIZED TRIBES.
Holdenville, I. T., December 10, 1904

In the matter of the application for the enrollment of Sallie
Goat, deceased, as a citizen by blood of the Creek Nation.

WADLEY GOAT, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Wadley Goat.
Q How old are you? A About thirty-five.
Q What is your post office address? A Holdenville.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Little River, Tulsa.
Q Did you have a child named Sallie Goat? A Yes, sir.
Q When was that child born? A The child was born in 1897. It should
have been enrolled as a member of Turpoka town, her mother being a
member of that town. I asked the Town Officers of Turpoka to enroll
her but they neglected to do so and I afterwards executed an affidavit
and filed it with the Commission relative to her birth and death.
Q In what month was she born? A November 3.
Q When did she die? A She died December 16, 1899.
Q How old was the child at the time of its death? A A little over
two years old.
Q What was the name of the child's mother? A Suate.
Q Did you make a record of the birth and death of Sallie? A Yes,
sir.
Q Have you that record? A Yes, sir, I have it at home.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir. The land office opened April 1, 1899.
Q Was Sallie living or dead at the time the land office opened? A
She died after the land office opened. When I appeared before the
Commission at Muskogee to select allotments for my other children I
expected to find her enrolled with the members of my family but
discovered that she had not been enrolled. What is the reason I did
not select land for her when I made selection of land for the other
members of my family.
Q Upon what is that record made? A A pocket memorandum.
Q Can you bring that record in for the inspection of the Commission?
A I can bring the record in Monday.
Q Is the mother of the child living? A No, sir.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 20 day of December, 1904.

Notary Public.

CR EN 824

CR EN 824

Ms. 273

Muskogee, Indian Territory, May 20, 1906.

A. L. Hoff,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

You are hereby advised that the Secretary of the Interior, under date of May 19, 1906, affirmed the decision of the Commission to the Five Civilized Tribes, dated March 20, 1906, denying the application for the enrollment of Linda, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

CHAS. H. HARRIS.

En. 833.

Manages, Indian Territory, May 29, 1908.

Wadley Gent,

Holbrookville, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior,
under date of May 19, 1908, affirmed the decision of the Commission
to the Five Civilized Tribes, dated March 20, 1905, denying the
application for the enrollment of Sims, deceased, as a citizen
by blood of the Creek Nation.

Respectfully,

Commissioner.

Refer in reply to the following:
Land: 888-1905.

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON, April 29, 1905.

The Honorable
The Secretary of the Interior.
Sir:

I have the honor to enclose a report from the Commission
to the Five Civilized Tribes, dated April 15, 1905, transmitting the
record of the application for enrollment as citizen by blood of the
Creek Nation of Sinda, deceased.
March 20, 1905, the Commission decided adversely to the
application.

The record shows that Sinda died prior to April 1, 1899.
In view of the record the approval of the Commission's
decision adverse to the application is recommended.
Very respectfully,

C. F. Lister,
Acting Commissioner.

M. M. M.
W.

L.R. GR. I

I.T.D. 4786-1905.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, May 19, 1905.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

April 12, 1905, you transmitted the record of proceedings
had in the matter of the application for the enrollment of Sinda,
deceased, as a citizen by blood of the Creek Nation, including your
decision dated March 20, 1905, wherein you found "that said Sinda,
deceased, died prior to April 1, 1899", and therefore denied said
application.

April 29, 1905, the Acting Commissioner of Indian Affairs
reporting in the matter, recommended that your decision denying
said application be affirmed. A copy of his letter is inclosed.
The Department concurs in the recommendation made and your
decision dated March 20, 1905, denying the application for the en-
rollment of Sinda, deceased, as a citizen by blood of the Creek
Nation is hereby affirmed.

Respectfully,

(Signed) Thos. Ryan,

Acting Secretary.

J. H. Johnson.

Gr. En. 873.

Muskogee, Indian Territory, April 14, 1905.

M. I. Holt,
Attorney for the Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Binda, deceased, as a citizen of the Creek Nation, denying said application. The decision with a copy of the proceedings had in the case is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Inc. 12.4-14-19.

Dr. W. H. H. H.

Washington, Indian Territory, April 14, 1908.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the report of proceedings in the matter of the application for the enrollment of Linda, as a citizen of the Creek Nation, including the decision of the Commission, dated March 20, 1908.

Respectfully,

Commissioner in Charge.

Through the Commissioner

of Indian Affairs.

Enc. 14-20.

424

| |
|------------------------|
| REPLY TO THE FOLLOWING |
| Cr. No. 873. |

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

COMMISSIONERS:
TAMM BERRY,
THOMAS E. NEEDLES,
C. E. BERNARDSON.
WM. O. REALL,
Secretary.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
ADDRESS ONLY THE

Muskogee, Indian Territory, April 14, 1905.

Cesar Mico,

Holdenville, Indian Territory.

Dear Sir:

There is herewith inclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Standa, deceased, as a citizen of the Creek Nation, denying said application.

The decision with a copy of the proceedings had in the case is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,



Commissioner in Charge.

Register.
Inc. 1M.4-14-18.

678

REPLY IN REPLY TO THE FOLLOWING

D. C. 103.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

COMMISSIONERS:
TAMM DIXIE,
THOMAS B. HEDGECOCK,
C. R. BRECKENRIDGE,
W. E. STANLEY.
ALLISON L. AYLESWORTH,
SECRETARY.

Muskogee, Indian Territory, January 30, 1904.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
ADDRESS ONLY THE

Cesar Micoe,

Holbrookville, Indian Territory.

Dear Sir:

There is on file with the Commission an affidavit executed by you relative to the death of your child, Sinda, who, it is claimed is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case. You are therefore requested to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of the death of said child, for the purpose of being examined under oath.

Respectfully,



Commissioner in Charge.

N.C.G.

No. 873.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

--:0:--

In the matter of the application for the enrollment of Sinda,
deceased, as a citizen by blood of the Creek Nation.

--: D E C I S I O N :--

The record in this case shows that on September 14, 1901, the
affidavit of Coar Mico, relative to the death of Sinda, was filed
with the Commission, at Muskogee, Indian Territory, which said affida-
vit is considered by the Commission as an application for the enroll-
ment of said Sinda, deceased, as a citizen by blood of the Creek
Nation. Further proceedings were had December 10 and 12, 1904.
The evidence shows that said Sinda, deceased, died prior to
April 1, 1899.
It is, therefore, the opinion of the Commission that there is no
authority of law for the enrollment of said Sinda, deceased, as a
citizen by blood of the Creek Nation, and that the application for
her enrollment as such should be denied, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

MAR 20 1905

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Holdenville, I. T., December 12, 1904.

Supply.
In the matter of the application for the enrollment of
Sinda, deceased, as a citizen by blood of the Creek Nation.
WILLIE CORNELL, being duly sworn, testified as follows:

BY COMMISSION:
Q What is your name? A Willie Cornell.
Q How old are you? A Thirty-one.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Little River, Tulsa.
Q What is your post office address? A Holdenville.
Q Did you know a child of Cozar Mico named Sinda? A Yes, sir.
Q When did she die? A She died about the fourteenth of January,
1899.
Q How old was the child at the time of her death? A She was my
wife.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Did she die before or after the opening of the land office? A
Before. I went down to Okmulgee and thought I could file for her
and I stated the case and the Commission told me I could not file
and after they come here Cozar Mico put her name on.
Q Did you make a record of her death? A Yes, sir.
Q Have you that record with you? A No, sir.
Q Are you positive that she died before the opening of the land
office? A Yes, sir.

-----00000000-----

I, E. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 28th day of December,

1904.

E. C. Skaggs
Notary Public

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Holdenville, I. T., December 10, 1904.

In the matter of the application for the enrollment of Sinda,
deceased, as a citizen by blood of the Creek Nation.

WADLEY GOAT, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Wadley Goat.
Q How old are you? A About thirty-five.
Q What is your post office address? A Holdenville.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Little River, Miss.
Q Do you know a member of your town named Sinda? A Yes, sir.
Q She is dead is she? A Yes, sir.
Q Do you know how long she has been dead? A She died the fall of 1898.
Q What fixed it in your mind that she died at that time? A Because she died about a year before the death of my daughter Sallie. Sinda died in the fall of 1898 and my daughter died in the winter of 1899.
Q Do you know in what month Sinda died? A I do not know what month it was but I know it was in the fall of the year.
Q Are you positive that Sinda died before your daughter Sallie died? A Yes, sir, I am very positive.
Q What month did your daughter, Sallie, die? A December 16, 1899.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Did Sinda die before or after the opening of the land office? A She died before.
Q How long before? A Perhaps about five months before the opening of the land office.

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I, D. O. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 20 day of December, 1904.

Notary Public.

CR EN 853

CR EN 853

Greek I. 4718

Muskogee, Indian Territory, March 19, 1907.

Salie Nelson,

Care of Amos Nelson,

Holbrookville, Indian Territory.

Dear Madam:

You are hereby advised that the name of your son, William Nelson, is contained in a partial schedule of citizens by blood of the Creek Nation approved by the Secretary of the Interior March 4, 1907, opposite Roll Number 10181, and that a selection of land in the Creek Nation can now be made for him by the administrator at the Creek Land Office in Muskogee, Indian Territory.

Respectfully,

Commissioner.

Wahkago Indian Territory, 1907.

Commissioner to the Five
Civilized Tribes,
Wahkago, Indian Territory.

Sir:

The Creek Nation hereby wishes protest in this case,
reserving to itself, however, the right to attack the enrollment
of this person if after investigation it is found that said
enrollment was obtained upon fraudulent evidence.

Respectfully,


Creek National Attorney.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, November 30, 1908.

NEVER IN REPLY TO THE FOLLOWING:

Chief Clerk,
Creek Enrollment Division,
General Office, Muskogee.

Dear Sir:

Replying to General Office letter of
October 15, 1908 (Creek Enrollment 786), you are
advised that the records of this Division do not
show that any application has been made for the en-
rollment of Akie Taylor, deceased, as a citizen of the
Seminole Nation.

Respectfully,

Commissioner.

E. C. C.

REFER IN REPLY TO THE FOLLOWING

DEPARTMENT OF THE INTERIOR.

Commissioner to the Five Civilized Tribes,

217

Respectfully,

of Creek Field is

444

No. 872.

Muskogee, Indian Territory, January 20, 1905.

Amos Nelson,

Holbrookville, Indian Territory.

Dear Sir:-

In the matter of the application for the enrollment of your minor child, William Nelson, deceased, as a citizen by blood of the Creek Nation, on December 10, 1904, you stated under oath that you had in your possession a record relative to the birth of said child.

You are hereby notified that you will be allowed thirty days from date hereof within which to appear before the Commission at its office in Muskogee, Indian Territory, with said record, for the purpose of being examined under oath.

Respectfully,

Chairman.

Register.

COPY

COPY

B. A. 182.

Muskogee, Indian Territory, November 20, 1903.

Salie Nelson,

Holbrookville, Indian Territory.

Dear Madam:

There is on file with the Commission an affidavit relative to the birth and death of your minor child, William Nelson, who, if he claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case. You are therefore requested to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the dates of the birth and death of said child, for the purpose of being examined under oath.

Respectfully,

Chairman.

CR. EN. 75.

In the matter of the application for the enrollment of William Nelson, deceased, as a citizen by blood of the Creek Nation.

DECLASSIFIED

COMMISSIONER.

Muskogee, Indian Territory,

LEB 83 1007

11. 11.

En. 872.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
William Nelson, deceased, as a citizen by blood of the Creek Nation.

D E C I S I O N .

The record in this case shows that on November 4, 1902,
Amos Nelson appeared before the Commission at Muskogee, Indian
Territory, and made application for the enrollment of his minor
child, William Nelson, deceased, as a citizen by blood of the Creek
Nation. Further proceedings were had December 10, 1904, March 14,
1905, and April 27, 1905. The evidence shows that said William Nelson, deceased,
was born subsequent to May 25, 1901, and that he died prior to
March 4, 1905.
It is, therefore, the opinion of the Commission that
there is no authority of law for the enrollment of said William
Nelson, deceased, as a citizen by blood of the Creek Nation, and
that the application for his enrollment as such should be denied,
and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory.

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DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Holdenville, I. T., April 26, 1906.

In the matter of the application for the enrollment of William Nelson, deceased, as a citizen by blood of the Creek Nation.

AMOS NELSON, being duly sworn, testified as follows:

Through Alex Posey official interpreter:

BY THE COMMISSIONER:

Q What is your name? A Amos Nelson.
Q How old are you? A About fifty-five.
Q What is your post office address? A Holdenville.
Q Did you have a child named William Nelson? A Yes, sir.
Q What was the name of the child's mother? A Sallie Nelson.
Q You have heretofore testified in this case have you not? A Yes, sir.
Q Have you succeeded in fixing the exact date of the death of your child, William? A Yes, sir, from the record on the head-board of his grave.
Q What does that record state? A June 1, 1902.

The witness is accompanied to the grave of William Nelson and the following record is found written on the head board: "June 1, 1902, William Nelson died."

Q Who made this record? A I did.
Q When did you make it? A On the day the child was buried.
Q We have an affidavit executed by you March 14, 1906, stating that William Nelson died May, 1901? A The date is wrong in the affidavit the record on the head-board is correct. At the time I executed the affidavit I had not consulted the grave record.
Q When was William born? A I do not remember when the child was born but it was a year and six months old at the time it died.
Q You testified before the Commission, November 4, 1902, that William was born the last of April, 1899, and was going on three years of age when he died? A I was drunk when I gave that testimony and I do not now remember what statements I made. I know that statement is not correct. I am now sober and know that what I am now stating is the truth. I had a child named John who was born in March of the year people began filling upon their allotments and died in September of the same year. William was born after John died but Jim Lynch interpreting for me made me state that William was born before John died.

The records of this office show that John Nelson was born March 5, 1899, and died September, 1899.

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I, D. C. Shanks, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cases on said date.

Subscribed and sworn to before me this 1st day of May, 1906.

8.80

En. 872.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
William Nelson, deceased, as a citizen by blood of the Creek Nation.

SUPPLEMENTAL STATEMENT.

Records of the Commission examined and it appears there-
from that John Nelson, son of Amos and Sallie Nelson is listed
for enrollment on Creek Indian Card, Field No. 982, approved roll
No. 3173. It appears from said card that said John Nelson was
born March 5, 1899, and died in September, 1899.

Commissioner.

Manokgee, Indian Territory,
April 27, 1905.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, INDIAN TERRITORY, MARCH 14, 1905.

En. 872.

-00000-

In the matter of the application for the enrollment of William Nelson, deceased, as a citizen by blood of the Creek Nation. (Additional testimony).

AMOS NELSON, being duly sworn, testified as follows:

EXAMINATION BY COMMISSION:

Q What is your name? A Amos Nelson.
Q How old are you? A 50.
Q What is your postoffice address? A Holdenbrook.
Q Did you have a child named William Nelson? A Yes, sir.
Q Did you have a child named John Nelson? A Yes, sir.
Q When was William Nelson born? A Sometime in May, 1901, but I do not know exactly the day.
Q When did he die? A It is about three years since he died.
Q How old was he when he died? A One year old.
Q When was your child John born? A 1899.
Q What month? A I have forgotten.
Q Which was born first John or William? A John.
Q Was John born a year before William? A Yes, sir.
Q Was John born two years before William? A No, not two years.
Q When did John die? A I have forgotten.
Q Was William born before John died or after? A William was born after John died.

Zera Ellen Parrish, being sworn on her oath states that as stenographer to the Commission to the Five Civilized Tribes she reported the above case and that this is a full, true and correct transcript of her stenographic notes in same.

Subscribed and sworn to before me this 17 day of March, 1905.

Notary Public.

A. 122.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Holdenville, I.T., December 10, 1904.

In the matter of the application for the enrollment of William Nelson, deceased, as a citizen by blood of the Creek Nation.

AMOS NELSON, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Amos Nelson.
Q How old are you? A About fifty.
Q What is your post office address? A Holdenville.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Little River, Tulsa.
Q Did you have a child named William Nelson? A Yes, sir.
Q When did William die? A He has been dead about two years.
Q When was he born? A The child was about a month old when the Commission was at Holdenville for the purpose of enrolling citizens under the provisions of the treaty ratified in May. The Commission, I think, visited Holdenville in June.
Q In what month was the child born? A The latter part of May. I have a record of the birth of the child at home.
Q How old was the child at the time of its death? A I do not know how old the child was at the time of its death but it was just beginning to walk.
Q How long after the treaty was ratified was it that the Commission came to Holdenville? A Right after the treaty was ratified.
Q Was the child born before or after the ratification of that treaty? A It was born after the ratification of the treaty.
Q Are you positive that the child was born after the ratification of the last Creek Treaty? A Yes, sir.
Q What is the name of the child's mother? A S. Alice.
Q Have you another child, named John? A I have a child that is dead named John.
Q Which of the two children died first? A John died before William. There was probably a years difference between the deaths of John and William. John was born a year or more before William was born and died when he was about eight months old.

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I, W. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 20 day of December, 1904.

Notary Public.

732

A. 122.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Holdenville, I. T., December 10, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of William Nelson as a citizen by blood of the Creek
Nation.

SALLIE NELSON, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Sallie Nelson.
Q How old are you? A I do not know my age. (Witness appears to
be about thirty-five years of age)
Q What is your post office address? A Holdenville.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Little River, Miss.
Q Did you have a child named William Nelson? A Yes, sir.
Q He is dead is he? A Yes, sir.
Q How long has he been dead? A I think he has been dead about
two years.
Q How old was he at the time of his death? A About a year old.
Q Do you know in what month he was born? A The child was born
after Christmas--I do not know the year.
Q What is the name of the child's father? A Amos Nelson.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Was the child born before or after the opening of the Creek Land
Office? A It was born after the opening--I think the child was born
two years after the opening of the land office.

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I, D. C. Skaggs, on oath state that the above and foregoing is
full and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 21 day of December, 1904.

Notary Public.

A-156.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Weslanka, I. T., November 11, 1904.

In the matter of the application for the enrollment of Arie
Taylor, deceased, as a citizen by blood of the Creek Nation.
DAVE COKER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Dave Coker.
Q How old are you? A Forty-five.
Q What is your post office? A Muskogee.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Muskogee, Oklahoma.
Q Did you know a child of Wiley and Lucy Taylor named Arie? A Yes,
sir.
Q Is that child living? A Dead.
Q How long has it been dead? A It died the year the land office
opened.
Q Did it die before or after the land office opened? A It died
after the land office opened.
Q How long after? A The same month the land office opened but I
do not remember the day.
Q Are you positive that the child died after the land office open-
ed? A Yes, sir.
Q What month did the land office open? A The land office opened
in April and the child died towards the last of April.
Q How old was the child when it died? A The child was about a
year old.

-----0000000000-----

I, D. C. Shaffer, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
examination on said date.

Subscribed and sworn to before me this 18 day of November, 1904.

Notary Public.

Q How long has it been since that child was born? A I don't know what month it was born in; I can't say as to that; probably between 2 and 3 years; it is quite likely that the dates given in the affidavits are correct.
Q Was this child born before the last Creek treaty was passed? A Yes sir.
Q Can you form some idea as to how long before that? A The treaty had been made but it had not been ratified.
Q When the child was born? A Yes sir.
Q Did the child die before the treaty was ratified? A I think it was after the treaty was ratified; because they notified me of the child's death and I advised them to take care of the child.

Lucky Taylor recalled:
Q How old is that child you have here in your arms? A Over a year old.

Gannuggie Lowe being sworn testified as follows:

(Through Posey): Examination by the Commission:

Q What is your name? A Gannuggie Lowe.
Q How old are you? A 28.
Q What is your post office address? A Holdenville.
Q Do you know Lucky Taylor? A Yes sir.
Q Did you know a child of her name Akie? A Yes sir.
Q Were you any children of your own? A Yes sir.
Q What are your children's names? A Sallie.
Q Was Akie born before your child, Akie, or after? A I think Akie was born first.
Q How old was Akie when she died? A She was over a month old I think.
Q Was Akie born the same year that Sallie was or before an entire year? A I think so.
Q Do you know what month Akie was born? A My daughter was born in July and Akie was born that fall; that winter.
Q The winter before? A No; after.
Q Akie was born after? A If I am not mistaken.
Q I understood him a while ago to say that she was born before? A I think I was mistaken.
Q He thinks now Akie was born after Sallie? A Yes sir.

An affidavit heretofore filed relative to the birth and death of Akie Taylor is made part of the record herein.
This case is referred to the Field Party when it resumes operations.

Henry G. ... states that an stenographer to the Commission to the Five Civilized Tribes he reported the above case and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. ...

Subscribed and sworn to before me this 14 day of October, 1904.

Charles J. ...

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
WUSKOGEE, I.T. AUGUST 22, 1904.

In the matter of the application for the enrollment of Alex Taylor
deceased, as a citizen by blood of the Creek Nation.

APPEARANCES: M. L. Kott, attorney for Creek Nation.

Lucy Taylor being sworn testified as follows through Alex Koney,
official interpreter:

Examination by the Commission:

Q What is your name? A Lucy Taylor.
Q How old are you? A About 22.
Q What is your post office address? A Ward, Oklahoma.
Q Do you make application for the enrollment of Alex Taylor as a citi-
zen by blood of the Creek Nation? A Yes sir.
Q Is the child living or dead? A Dead.
Q Are you the mother? A Yes sir.
Q What is the name of the father? A Wiley Taylor.
Q Is Wiley Taylor a citizen of the Seminole Nation? A Yes sir.

The records of the Commission examined and it appears that Lucy
Taylor is listed for enrollment on Creek Indian card filed No. 2302 and
that her name is contained in the partial list of Creek Indians by blood
approved by the Secretary of the Interior March 22, 1902, No. 6839.

Q How old was Alex when he died? A Cannot state positively but he was
probably between 4 and 5 years old-- not a year old.
Q Was the child as much as a month old? A It has been so long I can't
say.
Q How many days did the child live after it was born? A Nearly a month.
Q In what month was the child born? A It was born after Christmas.
Q Don't you know the month? A No.
Q In what month did the child die? A She don't know.

Lucy Taylor being sworn testified as follows through Alex Koney, of-
ficial interpreter:

Examination by the Commission:

Q What is your name? A Lucy Taylor.
Q How old are you? A Over 20.
Q What is your post office address? A Ward.
Q Do you know Wiley Taylor? A Yes sir.
Q Did you know a child of Wiley Taylor? A I was told as the time
that I was making a roll of my name that a child was born to Wiley
and Lucy Taylor.
Q Do you know when the child was born? A No, I was told
nothing of the child's death or burial or anything.
Q Did you know the month in which the child was born? A I was told
nothing.

3 In Re-Application of Amos Nelson for the enrollment of his minor child, William Nelson, deceased, as a citizen by blood of the Creek Nation.

Amos Nelson, witness.

Examination by the Commission.

Q How long before John Nelson died was William Nelson born?
A About four or five months.
Q Did you purchase a coffin or any burial material for John Nelson? A I bought the material to make the coffin from Mesquite, and the clothes I bought from Soles. I don't know who is running that now.
Q Was Tom Soles living when you bought the burial material?
A No.

Amos Nelson

Subscribed and sworn to before me this 4th day of November, 1902, at Muskogee, Indian Territory.

A. J. Carter
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, Ind. Ter., November 4, 1902.

In the matter of the application of Amos Nelson for the enrollment of his minor child, William Nelson, deceased, as a citizen by blood of the Creek Nation.

Amos Nelson, being first duly sworn, testified as follows, through official interpreter, James H. Lynch:

Examination by the Commission.

Q What is your full name? A Amos Nelson.
Q What is your age? A About fifty.
Q What is your post office address? A Holdenville.
Q Have you been enrolled by the Commission as a citizen of the Creek Nation? A Yes, sir.
Q What is the name of your wife? A Sallie Nelson.
Q Has she been enrolled by the Commission as a citizen of the Creek Nation? A Yes, sir.

The records of the Commission examined and it appears therefrom that Amos and Sallie Nelson are listed for enrollment as citizens of the Creek Nation on Creek Indian Card, Field No. 982.

Q For whom do you now make application for enrollment? A William Nelson.
Q Are you the father of William Nelson? A Yes, sir.
Q Who is the mother of William Nelson? A Sallie Nelson.
Q Is William Nelson now living? A No, sir.
Q How old was he when he died? A Going on three years old.
Q When was he born? A He was born the last of April, 1899.
Q When did he die? A Last summer.
Q The summer of 1902? A Yes, sir.
Q Do you recollect when you and your wife were first enrolled by the Commission? A Yes, sir.
Q Do you recollect when you and your wife filed on your allotments in the Creek Nation? A Yes, sir.
Q Was William Nelson living at that time? A Yes, sir.
Q Did you make any effort at that time to have him enrolled? A Never thought of it. Didn't know but I was under the impression that the child was too young to be enrolled at that time.
Q Do you recollect when you enrolled your deceased son, John Nelson? A Yes, sir.
Q Where did you have him enrolled? A At Okmulgee.
Q Was William Nelson living at that time? A Yes, sir.

The records of the Commission examined and it appears therefrom that John Nelson was listed for enrollment as a citizen of the Creek Nation on Creek Indian Card, Field No. 982, on May 10, 1901.

Q Did you make any effort on May 10, 1901, to have your son, William Nelson, enrolled? A No, sir.
Q Was William Nelson born before or after John Nelson died? A He was born before John died.

CR EN 855

CR EN 855

JWH

Dr. H. H. H.

Washoe, Indian Territory, March 8, 1907.

Washoe, Indian Territory.

Dear Sir:

You are hereby advised that under date of February 28, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, denying the application for the enrollment of your minor child, Willie Lindsey, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Commissioner

COPY.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

February 21, 1907.

Washington.

LAND.
6864-1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from the Commissioner to the
five civilized tribes dated January 18, 1907, transmitting the
record relative to the application made July 24, 1901, for
enrollment of Willie Lindsey, deceased, as a citizen by blood
of the Creek Nation. On January 14, 1907, the Commissioner
held that the applicant was not entitled to enrollment.
The record shows that the applicant was the child of Amos
Lindsey and Kate Lindsey, citizens by blood of the Creek Nation
and that he was born subsequent to April 1, 1899, but was not
living on July 1, 1900.

Under the provisions of the Act of March 1, 1901, (31
Stat. L. 861) the applicant is not entitled to enrollment.
It is therefore recommended that the decision of the
Commissioner adverse to the applicant be approved.

Very Respectfully,

G. F. Larrabee,

Acting Commissioner.

J. P. B. - M

1.P.

C O P Y.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

February 28, 1907.

I.T.D. 4854, 4888, 4892-07.
4908, 4912, 4914-
4916, 4918, 4922, 4822-
4842, 4910, 4900.

DIRECT

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Your decisions in the following Creek citizenship cases

adverse to the applicants are hereby affirmed, viz:
Date of your
letter of transmittal.

| Title of case. | Date of your letter of transmittal. |
|---|-------------------------------------|
| Alice Humphreys, (Freedman) | January 19, 1907. |
| Reuben Humphreys, et al (Freedmen) | January 19, 1907. |
| Witcher Humphreys, | January 19, 1907. |
| Henrietta Hollings (Freedman) | January 19, 1907. |
| Annie Malone, (Freedman) | January 19, 1907. |
| Manoche (or Mandoches) and Indie Johnson, | January 19, 1907. |
| Willie Lindsey, deceased, | January 19, 1907. |
| Owens Fleming, (Freedman) | January 19, 1907. |
| Irene Tucker, deceased, (Freedman) | January 19, 1907. |
| Yah-pah-mey, deceased, | January 19, 1907. |
| Thomas Thomas, deceased, | January 19, 1907. |
| Zephania Ross, (Freedman) | January 19, 1907. |
| Little May Spaw, et al, (Freedmen) | January 19, 1907. |
| Jonias Hartley, (Freedman) | December 13, 1906. |

Copies of Indian Office letters submitting your reports
and recommending that the decisions be affirmed, are enclosed.
A copy herof and all the papers in the above-mentioned
cases have been sent to the Indian Office.

Respectfully,

James H. Wilson,
Assistant Secretary.

A.T.No.
2-1-07.

14 Jan. and 28 for Ind.O.

Dr. M. 671.

Muskogee, Indian Territory, January 18, 1907.

M. I. West,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of William Lindsay, deceased, as a citizen by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commandant.

LM-101.

Or. No. 871.

Muskogee, Indian Territory, January 18, 1908.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted a copy of the proceedings had in the matter of the application for the enrollment of Willie Lindsay, deceased, as a citizen by blood of the Creek Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated January 14, 1907, denying said application.

Respectfully,

Commissioner.

LM-102.

Through the Commissioner
of Indian Affairs.

484

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 18, 1907.

REFER IN REPLY TO THE FOLLOWING:

Cr. No. 271.

Amos Lindsay,

Newoka, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of your minor child, Willie Lindsay, deceased, as a citizen by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

Register.
IM-100.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

| |
|----------------------------------|
| REPLY IN REPLY TO THE FOLLOWING: |
| No. 871. |

Wesley, Indian Territory, November 22, 1906.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

In the matter of the application for the enrollment of
Willie Lindsay, deceased, as a citizen by blood of the Creek
Nation, there is inclosed herewith the testimony of Hepsey
McGirt taken by the Creek Field Party October 5, 1906, together
with copies of the testimony heretofore taken in said cause.
I have the honor to report that I am unable to secure
further evidence in said cause.

Respectfully,

In Charge,
Creek Field Party.

JBM

INDEXED

| | |
|-----------------------------|-------------|
| COMMISSIONER TO THE GENERAL | |
| 20827 | NOV 23 1908 |
| Received | |
| No. | |

Nov. 23, 1908.
 Weisberg, I. T.
 Rosey, Alex.

Transmit testimony in
 re application for enrollment
 of William Lindsay, deceased.

5-13-10

REPLY IN REPLY TO THE FOLLOWING

OF AN 871

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS:
TAMM BERRY,
THOMAS B. HEDGECOCK,
C. R. BRIDGEMAN,
W. M. O'NEILL,
Secretary.

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

Muskogee, Indian Territory, May 19, 1908.

Amos Lindsey,

Wewoka, Indian Territory.

Dear Sir:

The Commission desires further evidence in the matter of the application for the enrollment of your minor child, Willie Lindsey (deceased), as a citizen of the Creek Nation.

You are hereby advised that you will be allowed thirty days from date hereof within which to appear before the Commission, at its office, in Muskogee, Indian Territory, with at least two witnesses who know the exact dates of the birth and death of said Willie Lindsey for the purpose of being examined under oath. In the event no such evidence is offered within the time specified, the case will be adjudicated upon the record now before the

Commission.

Respectfully,

Chairman.

Register.

Q. 14

Cr. No. 871.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
Willie Lindsay, deceased, as a citizen by blood of the Creek
Nation.

D E C I S I O N

The record in this case shows that on July 24, 1901, application was made, in affidavit form, for the enrollment of Willie Lindsay, deceased, as a citizen by blood of the Creek Nation. Further proceedings were had December 10, 1904, March 29, 1904 and October 5, 1908.

The evidence shows that said Willie Lindsay was the minor child of Anna Lindsay and Kate Lindsay (formerly Kate Thomas), whose names appear upon the partial schedule of Creek citizens by blood approved by the Secretary of the Interior March 28, 1902, opposite roll Nos. 4902 and 2002 respectively; that said applicant was born subsequent to April 1, 1899, and was not living on July 1, 1900.

It is, therefore, ordered and adjudged that there is no authority of law for the enrollment of said Willie Lindsay, deceased, as a citizen by blood of the Creek Nation, and the application for his enrollment is accordingly denied.

COMMISSIONER.

Muskogee, Indian Territory.

James H. H. H. H.
January 14, 1907.

Q Was the child born before or after the opening of the Land Office? A It was born after, people has been filling upon their allotments sometime when it was born.
Q Are you positive of that? A Yes sir.

James R. Myers, being first duly sworn, stated, that as stenographer to the Commissioner to the Five Civilized Tribes, he recorded the testimony in the foregoing proceedings, and that the above is a true, and correct transcript of his stenographic notes thereof.

James R. Myers

Subscribed and sworn to before me this, the 10th day of October, 1906.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
Wewoka, I. T., OCTOBER 8, 1906.

In the matter of the application for the enrollment of
Willie Lindsay, deceased, as a citizen by blood of the Creek
Nation.

HEPSEY MCGIRT, being first duly sworn by Alex Posey,
a Notary Public, and examined, testified as follows:
Through Alex Posey, Official Interpreter:

BY THE COMMISSIONER:

Q What is your name? A Hepsey McGirt.
Q How old are you? A I do not know my age. (Witness appears
to be over 50 years old.)
Q What is your postoffice address? A Wewoka.
Q Are you a citizen of the Creek Nation? A Yes sir. Tucker-
patches is my town.
Q Did you know a child of Amos Lindsay and Katie Thomas named
Willie Lindsay? A Yes sir.
A You have heretofore testified in this case, have you not?
A Yes sir.
Q Have you succeeded in fixing the exact date of the birth and
death of this child? A No sir, all I know is that the child
was born in the early Summer and died in the Fall of the same
year in which it was born. It has been seven years since
the child died; I am positive of that because it died two
years before I moved to this place and I have been living here
five years; I have no other way of fixing the date of the
child's death. The child died at about this season of the
year seven years ago. It was born in the early Summer after
the crops were planted and died in the Fall of the same year.
I am unable to determine whether the child was born in April
or May or whether it died in September or October; all that
I can state positively is that it has been dead seven years.
Q We have an affidavit executed by Amos Lindsay, the father of
the child to the effect that the child was born August, 1899,
and died December 8, 1899. Do you know if that is correct
or not? A I do not think that either date is correct.
Q Is Amos Lindsay living? A No sir, he is dead.
Q What relation was the child to you? A My grandchild.
Q Did you attend on the mother at the child's birth? A No sir.
Q Minnie Goss, I think, acted as mid-wife when the child was born.
Q Do you remember the circumstance of the opening of the Creek
Land Office? A Yes sir.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE GREEK NATIONS
Holdenville, I. T., March 2, 1905.

In the matter of the application for the enrollment of Willie
Lindsey, deceased, as a citizen of the Greek Nation.
MURPHY MCINTYRE, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

Q What is your name? A Murphy McIntyre.
Q How old are you? A I do not know.

Witness appears to be about fifty-five years of age.

Q What is your present address? A Holdenville.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A The Greek Nation.
Q Do you know Amos Lindsey and Matt Thomas? A Yes, sir.
Q Do you know a child of theirs named Willie Lindsey? A Yes, sir.
Q Was Matt Thomas the wife of Amos Lindsey? A Yes, sir.
Q Do you know when that child died? A That child I think died
sometime in October but I don't know the day or the year.
Q How many years has it been since the child died? A Something like
six years.
Q Do you remember the circumstance of the opening of the Greek Land
Office? A Yes, sir.
Q Did Willie Lindsey die before or after the opening of the land
office? A I think the child died since the land office opened.
Q Do you know any one who had made actual selection of land at the
time the child died? A I think I had made selection myself or that
Amos Lindsey had made it for me. He went to Muskogee to make selec-
tion of land for himself and other relatives and at that time the
child was living.
Q How old was the child at the time it died? A The child was be-
tween eight and nine months old.
Q Do you know Minnie Goat? A Yes, sir.
Q What relation is she to the child? A She is the child's aunt.
Q Would she know when the child died? A She ought to know.
Q Did the child die at her house? A Yes, sir.
Q Minnie Goat swears that the child was about three months old at the
time of its death and that it died before the opening of the Greek
Land Office? A It has been so long ago that I may be mistaken as to
when the child died and as to its age, but I can investigate the
matter and give testimony later.
Q Were you present when the child died? A Yes, sir.
Q How far from Holdenville do you live? A I live near Watty
Palmer's home, north-west of here.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
examination on said date.

D. C. Skaggs

Subscribed and sworn to before me this 25th day of July, 1905.

Notary Public

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Holdenville, I. T., December 10, 1904.

In the matter of the application for the enrollment of Willie
Linney, deceased, as a citizen by blood of the Creek Nation.

MINNIE GOAT, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSIONER:

Q What is your name? A Minnie Goat.
Q How old are you? A About thirty.
Q What is your post office address? A Holdenville.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Turnersburg.
Q Did you know a child of Amos Linney named Willie? A Yes, sir, he
the child died at my house.
Q What is the name of the child's mother? A Katie Thomas.
Q What relation was the child to you? A My sister's child.
Q When did the child die? A He has been dead a long time.
Q Do you remember the circumstances of the opening of the Creek land
Office? A Yes, sir.
Q Did the child die before or after the opening of the Creek land
Office? A It died before the opening.
Q How long before? A About a year before the land office opened.
Q Are you positive of this? A Yes, sir.
Q How old was the child at the time of its death? A The child was
about three months old at the time of its death.

-----00000000-----

I, D. O. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
examination on said date.

D. O. Skaggs

Subscribed and sworn to before me this December 21, 1904.

E. R. Lindsey
Notary Public.

CR FH 831

CR FH 831

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

May 24 1902

(100-100)

Received

Enrollment of State of Georgia

IN 16

No.

Department of the Interior.

Commission to the Five Civilized Tribes.

In the matter of the death of
a citizen of the
Nation, who formerly resided at or near
Ind. Ter., and died on the
day of

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of

I, *John H. Johnson*, on oath state that I am
years of age and a citizen, by
that my post office address is
who was a citizen, by
and that said
died on the
day of

Witnesses to Mark:

W. A. Johnson
W. A. Johnson

Subscribed and sworn to before me this
day of
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of

I, *John H. Johnson*, on oath state that I am
years of age, and a citizen, by
that my post office address is
that I was personally acquainted with
who was a citizen, by
and that said
died on the
day of

Witnesses to Mark:

(Must be two)

Subscribed and sworn to before me this
day of
Notary Public.

1877
Bureau of Indian Affairs

Commissioner of Indian Affairs

Washington, D.C.

Dear Sir,
I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the above named matter.

FILED
COMMISSION TO THE LIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR

Very Respectfully,
John S. Galt

Department of the Interior.

Commission to the Five Civilized Tribes.

In the matter of the death of James H. Hargrave
a citizen of the United States
Ind. Ter., and died on the 28th day of March 1903
Nation, who formerly resided at or near St. Louis, Mo.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of Wagoner
I, Bill Hargrave, on oath state that I am
years of age and a citizen, by blood of the Cherokee Nation;
that my post office address is St. Louis, Mo. Ind. Ter.; that I am
of James Hargrave who was a citizen, in Cherokee Nation,
and that said James Hargrave died on the 28th day of March 1903
Witness to Mark: James Hargrave
(Must be two witnesses)
Subscribed and sworn to before me this 28th day of March 1903
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of Wagoner
I, Bill Hargrave, on oath state that I am
years of age, and a citizen, by blood of the Cherokee Nation;
that my post office address is St. Louis, Mo. Ind. Ter.;
that I was personally acquainted with James Hargrave who was a citizen, by blood of the Cherokee Nation;
and that said James Hargrave died on the 28th day of March 1903
Witness to Mark: James Hargrave
(Must be two witnesses)
Subscribed and sworn to before me this 28th day of March 1903
Notary Public.

Marie Johnson

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

FILED

April 8, 1880

[Signature]
ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the _____ Nation,
of _____, born on the _____ day of _____, 1900.
Name of father: _____ a citizen of the _____ Nation.
Name of mother: _____ a citizen of the _____ Nation.
Post Office _____

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
District _____
I, _____, on oath, state that I am _____ years of age and a
citizen of the _____ Nation; that I am the
mother of _____ who is a citizen, by _____ of the
_____ Nation; that a female child was born to me on the _____ day
of _____, 1900; that said child has been named _____ and is now
known as _____ Subscribed and sworn to before me this _____ day of _____, 1900.
Notary Public _____

AFFIDAVIT OF ATTENDING PHYSICIAN OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
District _____
I, _____, on oath, state that I _____ attended on _____ on the _____ day of _____, 1900; that there was born to her on said date a _____ child
that said child is now _____ and is said to have been named _____ Subscribed and sworn to before me this _____ day of _____, 1900.
Notary Public _____

52

Amie Thompson

Wickham, N. C.

Bank of America

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

FILED
April 8, 1903

NOTARY PUBLIC

United States of America
Western District, I. T.

I, Sylvia Grayson, being duly sworn on oath state that I am the
mother of Alice Grayson, deceased, that she reported this life on the
18th day of March 1901; that on said date I did during her life-
time, to-wit, on the 1st day of September, 1900 attend her when she
gave birth to a female child; that said child was named Grace Grayson
; that said Grace Grayson reported this life on the 23rd day of
March, 1902; that said Grace Grayson, deceased, is an illegitimate
child.

Sylvia X Grayson
for
mark

Witness to said
H. E. Smith
M. J. Smith

Subscribed and sworn to before me this 1st day of May, 1902.
M. J. Smith

A Notary Public.
My commission expires... *May 1st 1903*...

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES OF INDIAN TERRITORY.

IN RE APPLICATION FOR REENROLLMENT, as a citizen of the Creek Nation,
of Suate Grayson, deceased, born on the first day of September, 1900
child
that said Suate Grayson is the illegitimate of Alice Grayson, de-
ceased, who was a member of the Creek Tribe of Indians, in the Creek
Nation, Indian Territory, that your petitioner is the father of said
Alice, and grandfather of said Suate Grayson, deceased.

Witness to mark.

United States of America
Western District, I. T.

I, Island Grayson, on oath state that I am the father of Alice
Grayson, deceased, and the grandfather of Suate Grayson, deceased,
that said above petition is made for the purpose of getting said Suate
Grayson, deceased, on the rolls of the Creek Nation; that said Suate
Grayson was born on the 1st day of September, 1900 and died on the
23rd day of March 1902.

Witness to mark.

Subscribed and sworn to before me this 1st day of May, 1905.

A Notary Public.

My commission expires May 1st 1908.

INDEXED

COMMISSION
No. 1251
1902 NOV 14 1902

82810

Nov. 13, 1902.
Greek Nation,
Westmore, I.T.,
Ostrom, T.A.,

Transmits affidavit in re
application for enrollment of
Susie Grayson as Creek Indian,
also affidavit of Island
Grayson that deed issued to
Alice Grayson, deceased, has
been lost.

GREENROLLMENT

affidavit.

Western Ind. T.

Western District.

of Porto Rico, I. T.

Thomas Barnett, being first duly sworn, deposes, and says, I am a citizen of the Greek Nation, and am on the Freedman Roll, am twenty eight (28) years of age. that I personally knew ~~XXXXXXXXXXXX~~ as a daughter of ~~XXXX~~ Island, Grayson, Sylvia Grayson. I first knew her

Grayson, when she was a child of about three months old. she was living with her mother at Island Grayson, house. The child, died the Easter Sunday after my oldest child was born, and he will be four years old on the 21st day of Nov. 1905 I am positive about the time that my child was born, for I set the date down, and

have it to refer to

Thomas Barnett

Subscribed, and sworn to, this 13th day of Nov. 1905 before me

John F. Thomas

Notary Public.

My Commission Expires

Aug. 22, 1906

CT No 870

I.D.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Swale
Grayson, deceased, as a Greek Freeman.

.....DECISION.....

The record in this case shows that on October 11, 1902, there
was filed with the Commission to the Five Civilized Tribes at
Tulsa, Oklahoma, Indian Territory, the affidavit of Swale Grayson, relative
to the death of his minor grandchild, Swale Grayson, which said af-
fidavit is considered as an application for the enrollment of said
Swale Grayson, deceased, as a Greek Freeman. Further proceedings
were had December 7, 1904 and October 25, 1905.
The evidence shows that said Swale Grayson, deceased, was
born September 1, 1900, and that she died March 23, 1902.
The evidence further shows that said Swale Grayson, deceased,
was the minor child of Alice Grayson, and an examination of the
records of this Office shows that the name of said Alice Grayson
is contained in the partial list of Greek Freedmen approved by the
Secretary of the Interior March 18, 1902, Roll No. 119.
It is, therefore, ordered and adjudged that said Swale Gray-
son, deceased, is entitled to be enrolled as a Greek Freeman, in
accordance with the provisions of the act of Congress approved
June 30, 1902 (32 Stat., 500), and the application for her enroll-
ment as such is accordingly granted.

Commissioner

Indian Territory.

JAN 15 1906

Dr. M. 870

Imphal, Indian Territory, January 13, 1906

M. L. West.

Attorney for the Creek Nation,
Imphal, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the
Commissioner to the Five Civilized Tribes, in the matter of the
application for the enrollment of State Citizens, deceased, as a
Creek Freedman.

You are hereby advised that the Creek Nation will be allowed
fifteen days from date hereof within which to protest against the
enrollment of said State Citizens, deceased, and if, at the expiration
of said time, no protest has been filed, said person will be
regularly listed for enrollment as a Creek Freedman.
Respectfully,

Commissioner

LYM-13-13

Q Are you sure of that? A Yes, sir.
Q And she didn't see the summer at all did she? She didn't
see any summer at all did she? If she was born in the fall
and died the coming March? Is that true? I don't want
you to think what other people have told you but I want you
to tell all the facts. You were right there. Did this
child ever have a birthday? (no answer).
Q I am thirty-two years old and I have had thirty-two
birthdays. When I was one year old I had my first birth day.
Did this child ever have a birthday? A Well we didn't pay
no attention.
Q Well I didn't expect you to have a party. If the child
had lived a year when the day came around wouldn't you have
thought that this child is just a year old? Now you say it
was born in the fall and lived through that fall? A Yes,
sir.
Q It didn't die that fall; and then the winter coming right
along - it lived that winter did it? A Yes, sir.
Q And then right after winter comes spring. Did it live
through that spring? A It lived all that spring. The mother
died the next coming March and then the child.
Q How is that? A The mother died in March and then the
next coming March the child died. After the child was born
the mother died.
Q Well that is the way it is then? A It had to be if the
child was born.
Q Well the child was born one fall and the next March after
that the mother died and not the child. You just said the
child died. It was the mother was it? A The mother died
a year before the child died.
Q Which one died the March after the child was born - was
it the mother or child? A The mother.
Q Well the child didn't die the next March after it was
born did it? (no answer).

Witness excused.

Chas. T. Dillender being first duly sworn states that
the above and foregoing is a full, true and correct transcript
of his stenographic notes taken in said case on said date.

Subscribed and sworn to before me this 27th day of October
1905.

Notary Public.

Q You said Dinah Manuel was the only woman there awhile ago?
A At the present.
Q And at first you testified this Mandy Brunner was the only woman there? A Did I call Mandy Brunner's name? I didn't call Mandy Brunner's name this morning.
Q No but you did the other time. This morning you only said Dinah. You want to be careful what you say under oath. Was anybody present at the funeral of this child? A Yes, sir, a lot of them.
Q Very many people? A Oh yes.
Q Well in your previous testimony that you gave about a year ago you were asked the same question I asked you this morning "Are you positive that the child was born in the fall of the year and died in March being about two years of age?" and you said "She was born in the fall and she lived to the coming spring and died in March." You were asked "Died the first spring after she was born?" "Yes, sir," you said. "You are positive of that are you?" "I have got it right." Now is that right; that she was born in the fall and that she died the next coming spring after that? Is that right? A I don't know what to tell you because it is down on paper. Q You said it this morning and you said it a year ago. Now is that right? A It is down on the paper. Q You say you don't know what you put down on the paper and those papers all give the years. Being an ignorant woman don't explain all of that. A A child that is born one fall and dies the next spring can't be a year old because a year fall to spring is at most only six months, or half a year. Do you understand that? A I think I do.
Q Well how do you explain it. On replace you say it was over a year old and another you say it just lived from fall to spring. Which is right? And in another place you state in an affidavit, which you apparently didn't understand, you give the exact year of its birth and its death. Now you can't even say the year of either the birth or death. Which is right? A I hardly know what to tell you now.
Q Well just tell me the truth. You were there when the child was born and when it died. You are not so ignorant that you don't know the difference between over a year and the time between fall and spring. Just tell me the truth. You had the child all the time it was alive didn't you? A Yes, sir.
Q Well tell me the truth. Did it live from the fall to the spring following or did it live over a year? A As far as I can remember the baby lived a year and six months. As well as I can recollect.
Q Did it live one summer or two summers or did it die before summer came? A It lived one winter.
Q Well auntie you say this child was born in the fall, now did she see the next fall after that - did she live to see two falls, the one she was born in and the one after? A Yes, sir, it lived to see the next fall after it was born too.
Q Are you sure of that? A She lived all that winter until March coming after.
Q You mean she lived all the winter after she was born? A Yes, sir.
Q And until the March of the next spring. Then what? A She died.
Q Did she die the March after she was born? A Yes, sir.

Q Well was this child living any fourth of August? I don't know.

Q Could the child walk when it died? A No.

Q Would it talk? A No.

Q It wasn't a year old then was it? A It was a year old but it was a sickly baby from its birth and didn't walk.

Q Would that keep it from talking too? A I don't know, she didn't talk; I guess it must have hindered her.

Q Are you sure that the child lived more than six months? A Oh Yes, more than six months.

Q Are you sure it lived more than a year? A I guess it is over a year.

Q What makes you guess? When did your daughter Alice die? A I told you I don't know the day or month. I know when she died but I don't know the day or month.

Q Well you say you don't understand talking very much. What made you make out three affidavits in this case and give the exact date? You went before a notary public, out there in your country, two years ago and more, and you swore that you were the grandmother of State Grayson, who died about the 28th of March; and a few months later you went before the same notary public and sworn that State Grayson was born on the first of September 1900 and was then dead; and on the first day of May you went before another notary public, named Snider, and swore that the child was born on the first day of September 1900 and died March 23, 1902. Why did you swear to these affidavits that give the exact date when you say now you don't know the exact date of the birth and death? A Those that understand told him.

Q You didn't tell him these facts then? A I told him just like I am telling you.

Q But you swore to all of them; you ought never to swear to anything you don't understand. Did you understand what you were swearing to in this case? A I thought I did.

Q You say now you don't know the month or year it was born in or the day. You said it was the first month of fall that is all you know about the birth. When did State die? A Died in March.

Q What day? A Sunday morning.

Q Well what day of the month was it? A I don't know.

Q What year? How many years ago? A I don't know.

Q You can't swear now and you did in these affidavits giving the exact day, month and year. You didn't understand what they said did you? A Was the child as much as two years old when it died? A Wasn't two years old.

Q Was it as much as a year and a month? A I know it was over a year but to tell you exactly how many months I don't know.

Q Did you tend on this child when it was born? A Yes, sir.

Q Was any one else present when it was born? A Yes, sir.

Q Who? One of my girls.

Q Who was that? A She died.

Q What was her name? A Dinah.

Q Anybody else? A No.

Q That was all that was present? A That was all the women.

Q You testified before and you didn't say Dinah was there but you said your sister was there, Mandy Bruner, now you say your daughter was there? A Well Mandy Bruner - my daughter was there and Mandy Bruner came after.

Q What is Bob Brunner's post office address? A Paro. I
 Q Guess that is where his post office is.
 Q Did Bob ever tell you that that was his child? A Had
 no talk with him.
 Q Is Susie Grayson living? A No, sir.
 Q Her name is Susie Grayson isn't it? A Yes, sir.
 Q Do you think Bob knows when the child was born? A Well
 I don't know; he ain't living with us.
 Q Was he there when the child was born? A No, sir.
 Q Did he see the child shortly after the child was born? A
 Yes, sir.
 Q How soon after its birth? A It was old when he saw it.
 Q To the best of your knowledge how old was Susie when she
 died? A Well I really don't know.
 Q Were you there when she was ~~xxxxxx~~ buried?
 A Yes, sir.
 Q About how old a child did she look like she was? Did it
 look like it was six months old? A It was over a year old
 when it died but I can't tell you the dates because I don't
 know.
 Q When was Susie born? A Born the first fall month but
 what day I don't know.
 Q What year? Do you know? How many years ago? A I don't
 know.
 Q When did it die? A Well it died in the spring.
 Q Did it die the spring after it was born? Born one fall
 and died the next spring? A Yes, sir.
 Q Are you sure of that? A Yes, sir, I was mother for it
 until its death.
 Q It was a year old then? A Well it died the next spring.
 Q Now it was born in the first month of fall and it lived
 through that fall did it? A Yes, sir, and a little winter.
 Q And then died that spring? A Yes, sir.
 Q Are you sure of that? A Sure of that.
 Q Didn't it live past the spring and through the summer? A
 No, sir, lived through the fall and winter and died in the
 spring.
 Q Are you sure of that? What made you think it was over a
 year old then? A It was over a year old, the mother died
 in March and the next coming March it died.
 Q I asked you when it died and you said it died the spring
 after the fall. Now if that was so it wouldn't be living a
 year. You said it was born in the fall and lived through
 the winter and died that spring. Is that true? A Well
 I just told you so far as I know.
 Q Well now is that true that it was born in the fall and
 lived through the fall and winter and then that it died that
 spring. Is that true? Were you present when the child was
 born? A I was there.
 Q And did it live in your house until it died? A
 Yes, sir.
 Q Do you know if it lived during any summer? A Yes, sir.
 Q Was it alive during the summer? A Yes, sir.
 Q Well then it didn't die the spring after it was born did
 it? Do you know about Emancipation Day - those colored
 picnics they have in the summer? A No.
 Q Didn't you ever go to a picnic in summer? A No, sir, I
 don't.
 Q Don't you know the fourth of August? A Yes, sir, but I
 don't go to it.

Q Was Thomas Sango there when she was buried? A No, sir.
 Q He might have been but I don't know.
 Q Do you know Thomas Sango when you see him? You did know him
 at the time of the funeral? A Yes, sir.
 Q Did they have a preacher when the child was buried? A
 Yes, sir.
 Q What was the name of the preacher? A They didn't have
 no funeral service but the preacher was there.
 Q What was his name? A Ned Irving.
 Q Is he living now? A Yes, sir.
 Q Do you know his post office? A Yes, sir, Palo.
 Q He was at that funeral? A Yes, he was at the funeral.
 Q Do you know if there was any mark put over the grave? A
 Yes, sir, but the fire burnt it all down I guess - it burnt
 the others.

Witness excused.

Case adjourned until October 26, 1905 at 9 o'clock.

Hearing resumed pursuant to adjournment.

Sylvia Grayson being first duly sworn testifies as follows:

EXAMINATION BY THE COMMISSIONER:

Q What is your name? A Sylvia Grayson.
 Q You have testified before in this case? A Yes, sir.
 Q You are the wife of Island Grayson are you? A Yes, sir.
 Q Did you have a daughter named Alice Grayson? A Yes, sir.
 Q When did she die? A Well I really don't know.
 Q Did she have a daughter named Susie or Susan? A Yes,
 sir.
 Q Which was the right name? A We called her Susie some
 time and sometimes called her Susan.
 Q Do you know the name of Susie's father? A Yes, sir.
 Q The father of Susie? A Yes, sir.
 Q Who was it? A Bob Bruner.
 Q You know that do you? A Yes, sir.
 Q Was he married to your daughter Alice? A No, sir.
 Q Did he ever live with her? A No, sir.
 Q How do you know he was the father? A Go by what the
 mother said.
 Q Is that what your daughter Alice told you? A Yes, sir.
 Q Did she tell you that before the child was born? A Yes,
 sir, before and after too.
 Q Your husband Island said he didn't know who the father of
 the child was? A Well I guess he didn't but I did.
 Q Didn't you ever tell him? A No, sir, I didn't bother
 myself to tell him.
 Q Is this man Bob Bruner living yet? A Yes, sir.
 Q Is he a citizen of the Greek Nation? A Yes, sir.
 Q What is the name of his father? A His father's name is
 Ben Bruner.
 Q What is the name of his mother? A Rachel Bruner.

Q In the last six months of its life did you see as much as twenty or thirty times? A Yes, sir.

Q And you never saw it walk? A No, sir.

Q Could it talk? A I don't think - I never heard it talk.

Q What makes you say you don't think it could talk? A I never heard it talk.

Q In the many times - in the twenty or thirty times you saw it in the last six months of its life it didn't talk or walk and you think it couldn't walk or talk? A I never did see it.

Q You saw it lots of times close to its death? A I seen it.

Q You would be around the house? A Yes, sir.

Q Did you ever stop at the house during the last weeks of its life? A Yes, sir.

Q Staid around as much as an hour or more? A I would stop in awhile.

Q Did you ever stop as much as an hour? A Yes, sir.

Q And you never saw it talk or walk? A No, sir.

Q Was it sick before it died? A Yes, sir.

Q Did they have a doctor? A I don't know, sir.

Q Who buried it? A Its grandfather.

Q Island Grayson? A Yes, sir.

Q When did it die? A 23rd of March.

Q What year? A 1902.

Q Are you sure of that? A Yes, sir.

Q What makes you remember that? A Have you got any way to remember time? Anything that helps you to remember - you are no closer kin than cousin to the mother are you? A No, sir.

Q Do you remember people that are that distantly related - remember the exact date of the death and birth of their children - were you at the funeral when it was buried? A Yes, sir.

Q Who else was there? A Lots of folks were there.

Q What were their names? Was the father of the child there? A No, sir, I don't know.

Q Was the mother there? A Who the child's mother? Susie's mother died before she did.

Q How long before had Alice died? A I think she died in 1901.

Q Were you there when she died? A Yes, sir.

Q Give the day and the month in which Alice died? A I know Alice died in March.

Q But you don't know the day? A No, sir.

Q But you do know the day that Susie died? A Yes, sir.

Q How does it come that you can remember Susie's better than Alice's; you were at both funerals? (no answer)

Q Was Island Grayson present when Susie died? A Yes, sir.

Q Was Sylvanthere? A Yes, sir.

Q Was Warrior there at the funeral? A Yes, sir.

Q Was he there when the child died? A I don't know.

Q You just stated that there was a whole lot of people there? A Yes, sir.

Q Well was Thomas Sango present when the child died? A No, sir, I don't remember - I wasn't present when the child died but I was at the funeral.

Q Well now tell me was Warrior Grayson at the funeral? A Yes, sir.

Q When was it born? A September first.
Q What year? A 1900.
Q How far did you live from her at the time it was born?
A I guess about two miles. I don't know just exactly how far.
Q Did you live that close to her until she died? A Yes, sir.
Q Were you present when this child Swale was born? A No, sir, but I was there the next day.
Q Did you ever hear of a holiday called Labor Day? A I don't understand.
Q There is a national holiday called Labor Day. Did you ever hear of that? A Yes, sir.
Q Do you know what day that comes on? A No, sir.
Q Do you know the month? A March.
Q Well you don't know it then because it comes in September? A I don't know it then.
Q How did you come to be at her house the next day after it was born? A It was right on the road as I went to my mother's.
Q And you just happened to drop in? A I was on my way to my mother's and I heard of it.
Q Was that a child living? A Yes, sir.
Q What is the name of its father? A I don't know.
Q Did you ever hear of anybody accused of being its father? A No, sir.
Q You live right in that neighborhood? A Yes, sir.
Q And still you never heard of the father's name? A No, sir.
Q Did you know the child until it died? Did you see it along off and on? A Yes, sir, at church.
Q Did you ever see it walking? A No, sir.
Q You don't know that it could walk? A No, sir, I don't think it could.
Q You don't think it could walk when it died? A I never seen it walk. I never did see it walk.
Q Do you think it was old enough to walk when it died? A Yes, sir.
Q You just said you didn't think it could walk? A I always seen it sitting down.
Q You said you didn't think it could walk when it died? A Yes, sir.
Q How old do you think that child was when it died, judging from its appearance? A About a year and six months or might have been a little over.
Q Do you think it was more than a year and six months? A It might have been.
Q Do you think it was less than a year and six months? A No, sir, I don't think it.
Q Not even a day less - what makes you so positive it was a year and six months? I seen it was a baby.
Q You said you didn't think it was old enough to walk? A It was a year and six months.
Q How often did you see this child? A I saw it at church.
Q Was that the only time you ever saw it? A I saw it several times.
Q Didn't you see it more than several times in a year? A Yes, sir, he took it out to the church.

Q Who made it? A Ben Brunner and William Thornton.
 Q Where does Ben Brunner live? A East of Holdenville.
 Q Where does William Thornton live? A He lives east of Holdenville.
 Q Didn't you buy anything at the store to bury your daughter Alice? A Yes, sir.
 Q Where did you buy it at? A Calvin. My son went and bought the clothes.
 Q What is your son's name? A W. A. Grayson.
 Q W. A. or Warrior? A Yes, sir.
 Q Did they bury your granddaughter the same way? A Yes, sir.
 Q Made the coffin? A Yes, sir.
 Q Did you buy anything at the store for her burial? A No, sir, didn't get anything but the lumber.
 Q Where did you get the lumber? A We had some lumber there.
 Q You said you didn't buy anything but the lumber? A We got it from another fellow that was staying there with me. His name was Thomas Sango.
 Q Is he living? A Yes, sir.
 Q What is his post office address? A I guess his post office address is Wewoka.
 Q We have here an affidavit of Thomas Sango, executed before that same Notary Public on the same day you made the death affidavit and he swears that Sango died on March 30, 1902? A Thomas did.
 Q Thomas did and signed it himself. Is that the correct date? A I wasn't there.
 Q We have your affidavit right above on the same piece of paper. Don't you remember going with him and making an affidavit before Baker? A No, sir, I don't remember. There are lots of them fellows gets on the affidavit. I don't know how they get there.

Witness excused.

Jane Wade being first duly sworn testifies as follows:

EXAMINATION BY THE COMMISSIONER:

Q What is your name? A Jane Wade.
 Q How old are you? A About thirty-nine.
 Q What is your post office address? A Fero.
 Q Are you a citizen of the Creek Nation? A Yes, sir.
 Q Are you any kin to Island Grayson here? A Yes, sir.
 Q What kin? A He is my mother's brother.
 Q Did you ever know a grandchild of his by the name of Suan or Susan Grayson? A Yes, sir.
 Q Well which was it? A Suan Grayson.
 Q Did they call her Susan some times? A Yes, sir, they called her Susan.
 Q Well which was the correct name? A Suan.
 Q What is the name of the mother of Suan? A Alice Grayson.
 Q Did you live with her? A Not very close to her.
 Q Did you know this child of hers, Suan, was born?

Q Which died first did you say, the mother or the child? A The mother.

Q How long before? A Year.

Q What is the name of the father of this child? A I don't know - don't know the father.

Q Does anybody know that you know of? A No, sir, never did hear anybody claim it.

Q Didn't your daughter Alice ever tell you who the father of the child was? A No, sir.

Q Didn't you ever hear anywhere? A Never did.

Q I have here an affidavit executed by you, signed by Mark, before T. T. Baker, a notary public. Do you remember going before him and making an affidavit about your grandchild's death? A Yes, sir, but it was a mistake in that.

Q That was made out the 6th of September 1902. Were you more likely to remember the date of the death of your grandchild in the same year than you are now? How long after the child died before you made out this affidavit before Baker? A The child hadn't died yet when that was made out.

Q Do you remember anybody who was there when you made out the affidavit before Baker about the death - do you remember who witnessed your mark to that affidavit? A I disremember who witnesses that affidavit.

Q Was W. A. Grayson there - do you remember? A Probably he might have there I disremember.

Q Your mark is witnessed by W. A. Grayson and E. R. Nix - do you remember them? A Yes, sir.

Q You say this child was dead then? A No, sir.

Q Why were you making out a death affidavit then? Was that a death affidavit?

Q That is what I told you; that we have an affidavit here in the matter of the death of your grandchild Sula Grayson, in which you state that the child died March 30, 1902, made out before T. T. Baker, a notary public, made out on the 6th of September 1902. If the child wasn't dead why did you make the affidavit? A I can't tell you - what I am down here for is about the affidavit of Mr. Cavitt that he made out.

Q That affidavit was made May first of this year, the affidavit before V. W. Snider? A Yes, sir.

Q That was made in May of this year? A She was dead.

Q I asked you awhile ago if she was dead when you made out this other affidavit? A You said the one made out by Baker.

Q It was a death affidavit made out before Baker? A I don't see why come they made that.

Q You say you remember that this child died on March 23, 1902 because it was Easter Sunday? A Yes, sir.

Q Is there anything that makes you remember the date that it was born? A The date it was born? I recollect that. I kept that in recollection.

Q Is there anything like that Easter Sunday business? A No, sir.

Q Did you have an undertaker when your daughter Alice was buried? A The neighbors buried her.

Q Didn't you buy a coffin of the undertaker? A Yes, sir.

Q What was the name of that undertaker? A We bought lumber and had it the coffin made right at the church house.

time.

Q About five years old - little over five years old by this time.

Q How old would the child be if it was living now?

A Since it died? A Yes, sir.

Q How long ago is it since this child Suate died? A How long ago? This last March gone was four years.

Q Are you sure of that? A Yes, sir.

A Yes, sir.

Q And you say it was a year and six months old when it died?

Q And when did she die? A March 23, 1902.

Q I told you to give me the day and month and year? Sep-tember 1, 1900.

Q When was Suate born? A 1900.

Q Lived from nineteen to 1901; that was a year.

Q How old was the child? The mother just only.

Q How old was your grandchild Suate when your daughter Alice year and six months old. It lived a year and six months.

Q How old do you say she was when she died? A She was a

Q And that is the way you remember when she died? A Yes, sir.

Q She died on Easter Sunday March 23, 1902? A Yes, sir.

Q Are you sure of that? A Yes, sir.

Q Suate died on Easter Sunday? A Yes, sir.

Q What is it? A It was on Easter Sunday.

Q she died - yes, sir.

Q Is there anything that helps you remember that? A When

Q Are you sure of that? A Yes, sir.

Q And a week after that Suate died? A Yes, sir.

Q Dina died before Suate? A Yes, sir.

Q When did Suate die? A 23rd of March.

Q A week before Suate died? A Yes.

Q Which died first? A Dina died first.

Q You say that Dina died a week from the time that Suate

Alice died? A Yes, sir.

Q But you were present when she died just like you were when Dina died.

Q She died in March; I disremember what day of the month that

Q Give me the day month and year in which Dina died? A

Q Dina and that little grandchild of mine was just a week

Q When did Dina die? A Dina died - she died in 1902,

Q Were you present when Dina died? A Yes, sir, right

Q Were you present when your daughter died? A Yes, sir,

My daughter.

Q Which one died first your daughter Alice or Dina? A

Q Her name was Dina Manuel? A Yes, sir.

Q You told me just now that Dina is dead? A Yes, sir.

Q What month - I kept that in recollection.

Q Well you see I have to count back. I counted it back to

Suate was one year and six months old on March 18, 1901? A

Q You to sit up here under oath and say that your grandchild

Q Have you - is there any fact which makes it possible for

recollection.

Q Is there any circumstance that helps to fix the date of

its birth in your mind? A No, sir, but I just kept it in

Greek Freed.
En-870.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
TERRITORY, INDIAN TERRITORY, OCTOBER 25, 1905.

In the matter of the application for the enrollment
of Suae Grayson, deceased, as a Creek freedman.

The office of the Creek Attorney was communicated with and
this office was informed that he was at Okmulgee.

Island Grayson being first duly sworn testifies as follows:

EXAMINATION BY THE COMMISSIONER:

Q What is your name? A Island Grayson.
Q You have testified in this case before have you not? A
Yes, sir.
Q Did you have a child named Suae Grayson? A Grandchild.
Q Child of your daughter? A Yes, sir.
Q What was her name? A Her name was Alice.
Q Was she a citizen of the Creek Nation? A Yes, sir.
Q Is she living? A No, sir.
Q When did she die? A She died in 1901.
Q Well what month? A March.
Q Do you know the day? A Yes, sir.
Q Well tell it - I asked you when she died? A The 16th
of March.
Q Are you sure of that? A Yes, sir.
Q What is the correct name of your grandchild, Susan or
Suae? A Suae.
Q You executed an affidavit about her in which the name is
given as Susan? A I guess the man who made the affidavit
put it down Susan but her right name is Suae.
Q On December 7, 1904 you came in here - or you went before
the Creek field party at Pato. You were asked did you have
a grandchild named Susan Grayson and you said "Yes, sir".
Why didn't you tell them then? A I said Suae and I guess
they put it down Susan.
Q They asked you this question "Did you have a grandchild
named Susan Grayson" and you said "Yes, sir". What is the
name of Alice's mother? A Sylvia.
Q Did she have a brother named Warrior? A Yes, sir.
Q What is her sister's name? A Sister is named Dinah.
Q When did you say Alice Grayson died? A 1901.
Q Did she die before her child Suae Grayson? A Yes, sir.
Q How much before? A Well the child lived until it got
a year and six months old.
Q Are you sure of that? A Yes, sir.
Q Now were you present when this child Suae was born? Yes,
sir, I was right there.
Q Did you make any kind of record of it? A No, sir, but
I knewed the very time.

Q Do you know when she died? A She died in 1902.
Q What month? A March.
Q Are you positive of that? A Yes, sir.
Q How old was the child when it died? A She was right at two years old I believe.
Q How could that child have been two years old when it died if it was born in September 1901 and died in March 1902? A Let's see--- I see my mistake now-----that child was about---she was a year and six---five months and some days old when she died.
Q According to your statement she would have been only about eight months old when she died? A I just can't get that together to have my soul.
Q What relation was this child to you? A My niece.
Q You are positive are you that Susan was born in September 1901 and died March 1902? A Yes, sir. I am pretty certain that she died in 1902.
Q And was born in September, 1901? A Yes, sir.
Q Were you present when the child was born? A I think I was around there.
Q Do you remember the circumstance of the opening of the Creek land office? A Yes, sir.
Q Was Susan born before or after the opening of the land office? A It was after.
Q About how long after? A Well now, that is more than I can tell you.
Q Was it as much as two years after? A I can't tell you.

ISLAND GRAYSON, being recalled, testified as follows:

BY COMMISSION:

Q Did you execute an affidavit relative to the birth and death of your grandchild Susan Grayson? A I carried it down there and they took it but they never gave me no answer.
Q Where did you get the dates which you put in that affidavit? A I remembered it right then.
Q How long after the death of the child was it that you executed the affidavit? A It was not very long.
Q According to your best recollection about how long was it? A I don't hardly think it was over three or four months.
Q Are the dates as given in that affidavit correct? A Yes, sir.

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I, D. C. Skaggs, solemnly state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 19 day of December, 1904.

Robert Skaggs
Notary Public.

Q You are positive of that are you? A I have got it right.
Q Was there any record made of the birth or death of this child?
A Yes, sir.
Q Was there any record made on the head-board of the grave? A Yes,
sir.
Q Where was she buried? A Down on the other side of this first
house at the Big Spring.

ISLAND GRAYSON, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Island Grayson.
Q How old are you? A About fifty.
Q What is your post office address? A Faro.
Q Are you a Greek Freedman? A Yes, sir.
Q To what town do you belong? A Canadian Colored.
Q Did you have a grandchild named Susan Grayson? A Yes, sir.
Q Who were the parents of that child? A My daughter.
Q What was her name? A Alice Grayson.
Q Who was the father of this child? A Bob Bruner so said.
Q How long has that child been dead? A I think it is about two
years since she has been dead.
Q Do you know when that child was born? A It was born in September.
Q In what year? A I don't remember.
Q How many years has it been since she was born? A She would be
three years old this coming September if she was living.
Q When did she die? A I believe it was the March before last I am
not certain.
Q How old was the child when it died? A It was two years old.
Q Do you remember the circumstance of the opening of the Green land
Office? A I think I do.
Q Was this child born before or after the opening of the land office?
A It was right in time they was filling.
Q People had begun filling on their land when it was born? A Yes,
sir.
Q Do you know how long people had been filling on their land when it
was born? A I can't exactly tell how long but we had been trying
to file for it while it was living.
Q Had you selected land for yourself when it was living? A Yes,
sir.
Q You say the child has been dead about three years? A The mother
has been dead four years this last March and the child died the
next March after the mother died.
Q You are positive of that? A Yes, sir.
Q Do you know any one else who could give information definite
information about this child? A No, sir.
Q You and your wife know more about it than any one else do
you? A Yes, sir.

W. A. GRAYSON, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A W. A. Grayson.
Q How old are you? A Twenty-five.
Q What is your post office address? A Faro.
Q Are you a Greek Freedman? A Yes, sir.
Q To what town do you belong? A Canadian Colored.
Q Did you know Susan Grayson? A Yes, sir.
Q How long has she been dead? A It is right at three years.
Q Do you know what month and what year the child was born? A
I don't know.
Q What month? A September but I don't remember what date.
Q Are you positive that she was born in September, 1901?
A Yes, sir.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Palo, I. T., December 7, 1904.

In the matter of the application for the enrollment of Susan Grayson, deceased, as a Creek Freedman.
GILIA GRAYSON, being duly sworn, testified as follows:

BY COMMISSIONER:

Q What is your name? A Gilia Grayson.
Q How old are you? A I don't know my age. (Witness appears to be at least fifty years of age)
Q What is your post office address? A Palo.
Q Are you a Creek Freedman? A Yes, sir.
Q What town do you belong to? A Canadian Colored.
Q Did you have a grandchild named Susan Grayson? A Yes, sir.
Q When did she die? A I don't know.
Q How long has it been since she died? A I think it is going on

two.
Q Do you know in what month and what year she died? A She died in March but I don't know the date of the month.
Q Do you know in what year? A No, sir.
Q Do you know when she was born? A She was born in the fall of the year.
Q How old was the child when it died? A It was going on two years old.

Q Who was the child's mother? A My daughter.
Q What was her name? A Alice Grayson.
Q Is she living? A No, sir.
Q Who was Susan's father? A Bob Brunner.
Q Is he living? A Yes, sir.
Q What is his post office address? A Well, I don't know.
Q Do you know where he lives? A I hear where he lives but I never been there.

Q Where is that? A Some where up the river. (meaning the Seminole River)
Q Is that towards the Seminole Nation? A Yes, sir. (Palo, Indian Territory)
Q His post office address would be Violet Springs, Oklahoma?
Q Did you attend on Alice Grayson when this child, Susan, was born?
A Yes, sir.

Q Was there any one else present? A One of my sisters.
Q What is her name? A Mandy Brown.
Q Where does she live? A Right over to the first house.
Q Do you remember the circumstance of the opening of the door?
Q Yes, sir, I don't know.

Q Do you remember the time that people first began talking about it?
A Yes, sir, but I don't know when.
Q You heard people talking about it and saying that that was the first on their allotments? A Yes, sir.
Q Was Susan born before or after people began allotting?
A After.

Q Do you know how long after? A She was born before the opening of the door.
Q The witness apparently does not remember the opening of the door.
Q Is your position that the child was born in the year and died in the fall of the year of the opening of the door?
Q Did the first allotment take place in the fall of the year?

OT 25 870

Kushkoose, Indian Territory, May 6, 1906.

F. O. Gault,

Attorney-at-Law,

Holbrookville, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of May 1, 1906.

enclosing affidavits relative to the birth and death of Susan
Grayson, and asking to be informed if further evidence is neces-

sary in said case.

In reply you are advised that it will be necessary for the

midwife and at least one other witness who knows the date of

the birth and death of said child, Susan Grayson, to appear be-

fore the Commission, at its office, in Kushkoose, Indian Territo-

ry, for the purpose of being examined under oath.

Respectfully,

T. B. Miller

Commissioner in Charge.

OT RM 870

Manhoge, Indian Territory, June 7, 1906.

Island Grayson.

also, Indian Territory.

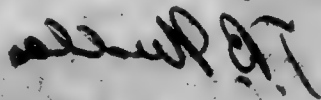
Dear Sir:

The Commission is in receipt of your letter of May 31, 1906.

In which you ask if the affidavits of Island and Clara Grayson relative to the birth and death of Guise Grayson have been received.

In reply you are advised that a letter from F. O. Gavitt transmitting said affidavits, was received by the Commission, and that on May 6, 1906, said F. O. Gavitt was advised that it would be necessary for you to appear before the Commission with at least two witnesses who know the exact date of the birth and death of said Guise Grayson, for the purpose of being examined under oath. You are hereby advised that you will be allowed twenty days from date hereof within which to produce such witnesses before the Commission, at its office, in Manhoge, Indian Territory.

Respectfully,



Commissioner in Charge

7.2.2

appear before this office with the midwife in attendance
at the birth of said Susan Grayson and at least one other
person who knows the exact dates of her birth and death
for the purpose of being examined under oath.

Respectfully,

Wm. C. Brown

Acting Commissioner.

En. 870.

Muskogee, Indian Territory, September 13, 1908.

Palo Brumer,

Palo, Indian Territory.

Dear Sir:

Receipt is acknowledged of your communication of September 5, 1908, in which you ask to be advised as to when you will be permitted to file for one Willie Hawkins. You also state that Island Grayson wishes to know

when he will be allowed to file for his deceased child.

Island Grayson.

It is presumed that the Willie Hawkins to whom you refer in your letter is the same person as Ophelia Hawkins for whose enrollment as a Greek freedom application has been made.

In reply you are advised that the matter of the application for the enrollment of said Ophelia Hawkins is pending before this office and that when final action is had in the matter, you will be duly notified.

You are further advised that Island Grayson has been repeatedly informed that it will be necessary for him to

En. 870.

Minneapolis, Indian Territory, August 12, 1908.

Island Grayson,

Paris, Indian Territory.

Dear Sir:

Receipt is acknowledged of your communication of August 8, 1908, relative to the application for the enrollment of your deceased grandchild, Susan Grayson, as a Creek freedman.

You state that you are unable to appear before this office and ask to be allowed to furnish the evidence required in the form of affidavits.

In reply you are advised that the testimony of yourself and other witnesses in this case is as essential and unobtainable that your request to be permitted to supply such other testimony as you may have in the form of affidavits is refused.

You are again notified that you will be allowed

thirty days from date within which to appear before this office at Muskogee, Indian Territory, with Ellen Grayson and at least one other witness who know the exact date of the birth and death of said Susan Grayson, for the purpose of being examined under oath.

Respectfully,
J. H. ...

22. A. 22.

Muskogee, Indian Territory, September 22, 1903.

Ellie Grayson,
Holdenville, Indian Territory.

Dear Madam:

There are on file with the Commission affidavits executed by you relative to the birth and death of Ellie Grayson, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further testimony be submitted in the case. You are therefore requested to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the dates of the birth and death of said child, for the purpose of being examined under oath.

Respectfully,

Chairman.

OP8, NO. 3, P. 11

11/11/11

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M. F.

CR EN 850

CR EN 850

Or En 822

Manxogee, Indian Territory, August 9, 1908.

Can-ke This War-kan-kee.

Saguppa, Indian Territory.

Dear Sir:

You are hereby advised that the name of your deceased minor
elater, Winnie Warrnerke, is contained in the partial list of
officers by blood of the Creek Nation approved by the Secretary
of the Interior July 31, 1908, and that application for a selec-
tion of land in the Creek Nation for the heirs of said Winnie
Warrnerke may now be made at the office of the Commissioner to
the Five Civilized Tribes, in Muskogee, Indian Territory.
An entire allotment of 160 acres must be selected at the
time of the original application.

Respectfully,

Acting Commissioner.

22
Cr. No. 888.

Muskogee, Indian Territory, April 21, 1908.

W. L. Hoff,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Winnie Warmack, deceased, as a citizen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be allowed fifteen days from the date hereof within which to protest against said decision, and if, at the expiration of that time, no such protest has been made, said Winnie Warmack, deceased, will be regularly listed for enrollment as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

W-4-21-10.

8816

ENTER IN REPLY TO THE FOLLOWING

D.C. 121 & 122.

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS
TAMM BIXBY,
THOMAS B. HENDLER,
C. R. BRICKWORTH,
W. E. STANLEY.

ALLISON L. ALLENBORTH,
SECRETARY

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESSES ONLY THE

Muskogee, Indian Territory, February 1, 1904.

Con-ke-thie War-war-kee,

Sapulpa, Indian Territory.

Dear Sir:

There are on file with the Commission affidavits executed by you relative to the death of your sisters, Winnie and Lizzie War-war-kee, who, it is claimed, are entitled to enrollment as citizens of the Creek Nation. It is desired that further evidence be submitted in these cases.

You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of the death of said Winnie and Lizzie War-war-kee, for the purpose of being examined under oath.

Respectfully,



Commissioner in Charge.

Muskogee, Indian Territory,

APR 20 1902

Commissioner.

Commissioner.

Chairman.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(31 Stats., 861), and it is so ordered.
acts of Congress June 28, 1898 (30 Stats., 492), and March 1, 1901.
blood of the Creek Nation in accordance with the provision of the
Winnie Warnekee, deceased, should be enrolled as a citizen by
It is, therefore, the opinion of the Commission that said

died subsequent to April 1, 1899.
The evidence further shows that said Winnie Warnekee, deceased,

Pay Roll of the Creek Nation.

The evidence shows that said Winnie Warnekee, deceased, is
identified on the 1890 authenticated Tribal Roll and on the 1895

Further proceedings were had December 16, 1904.

Nation.
Winnie Warnekee, deceased, as a citizen by blood of the Creek
by the Commission as an application for the enrollment of said
Muskogee, Indian Territory, which said affidavits are considered
to the death of Winnie Warnekee were filed with the Commission at
March 3, 1902, the affidavits of Con-Ke-This War-ne-kee relative
The record in this case shows that on October 11, 1901, and

--: D E C I S I O N :--

Warnekee, deceased, as a citizen by blood of the Creek Nation.
In the matter of the application for the enrollment of Winnie

--:O:--

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR,

E.C.G.

No. 869.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of
a citizen of the Creek
Nation, who formerly resided at or near
Ind. Ter., and died on the 18th day of April
1899
Here insert name of post office.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
Indian Territory,
District of
I, Cor-ke-ah, Non-see-see
years of age and a citizen, by blood
of the Creek
Nation;
that my post office address is
Here insert name of post office.
of
Non-see-see
(Here insert name of deceased.)
who was a citizen, by blood
of the Creek
Nation;
and that said
Non-see-see
(Here insert name of deceased.)
died on the 18th day of
April
1899
Cor-ke-ah + Non-see-see
witness

Witnesses to make:
(Must be Two.)
Subscribed and sworn to before me this 24th day of February
1905
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
Indian Territory,
District of
I, Cor-ke-ah
years of age, and a citizen, by blood
of the Creek
Nation;
that my post office address is
Here insert name of post office.
that I was personally acquainted with
Non-see-see
(Here insert name of deceased.)
who was a citizen, by blood
of the Creek
Nation;
and that said
Non-see-see
(Here insert name of deceased.)
died on the 18th day of
April
1899
Cor-ke-ah
witness

Witnesses to make:
(Must be Two.)
Subscribed and sworn to before me this 24th day of February
1905
Notary Public.

181
No. 4218-1242
Bureau of Indian Affairs

IN RE
THE DEATH OF

Minny Wamwaker
a citizen of the

Chickasaw

Nation.

Approved

1

Commissioner.

For the purpose of
the Commission to the Five Civilized Tribes

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED

Chief Clerk of the Court

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of *Winnif-War-nan-tee*
a citizen of the *Cherokee* Nation, who formerly resided at or near
Ind. Ter., and died on the 18 day of April
1877.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of *Northwestern*
I, *John W. War-nan-tee*, on oath state that I am
years of age and a citizen, by *blood*, of the *Cherokee* Nation;
that my post office address is *Cherokee*
of *Winnif-War-nan-tee*
who was a citizen, by *blood*, of the *Cherokee* Nation;
and that said *Winnif-War-nan-tee* died on the 18 day of
April 18, 1877
John W. War-nan-tee
Witnesses to Mark:
John W. War-nan-tee

Subscribed and sworn to before me this 8 day of October 1877.
John W. War-nan-tee
Notary Public.
AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of *Northwestern*
I, *John W. War-nan-tee*, on oath state that I am
years of age, and a citizen, by *blood*, of the *Cherokee* Nation;
that my post office address is *Cherokee*
that I was personally acquainted with *Winnif-War-nan-tee*
who was a citizen, by *blood*, of the *Cherokee* Nation;
and that said *Winnif-War-nan-tee* died on the 18 day of
April 18, 1877
John W. War-nan-tee
Witnesses to Mark:
John W. War-nan-tee

Subscribed and sworn to before me this 8 day of October 1877.
John W. War-nan-tee
Notary Public.

IN RE
THE DEATH OF

Wm. W. W. W. W. W.
a citizen of the

State of

Approved: I

Commissioner

Sept. 4-1901
I have been
in the office
of the
Commissioner

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

Oct. 17, 1901

ACTING CHAIRMAN

K.C.G.

Mr. 869.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

-:0:-

In the matter of the application for the enrollment of Winnie
Warner, as a citizen by blood of the Creek Nation.

-: SUPPLEMENTAL STATEMENT :-

The 1890 authenticated Tribal Roll of the Creek Nation
examined and the name of Winnie Warner identified thereon,
Kuchee Town, Page 108, as Wene Warner.
The 1898 Pay Roll of said Nation examined and Winnie Warner
identified thereon as Winnie, Kuchee Town, Number 258.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Commissioner.

Muskogee, Indian Territory,
January 26, 1905.

made and that this is a full, true and correct transcript of his
steno-graphic notes in same.

Henry A. Davis

Subscribed and sworn to before me this 17th day of December, 1904.

Charles H. Davis

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. DEC. 16, 1904.

D.A. 151

In the matter of the application for the enrollment of Winnie
Warner as a citizen by blood of the Creek Nation.

Philip Jack being duly sworn, testified as follows through S.W.
Brown, sworn Muscogee interpreter:

BY COMMISSION:

Q What is your name? A Philip Jack.
Q What is your age? A He is over 40.
Q What is your post office address? A Sapulpa.
Q Do you know Winnie Warner? A Yes sir.
Q Are you related to her? A My niece.
Q Is Winnie Warner living or dead? A Not living.
Q When did she die? A He said that he can't state exactly when she
died but the land office was open when she died.
Q She died after the land office opened? A Yes sir.
Q How old was she when she died? A She was about 12 years old.
Q People had filed on their land, had they, before she died? A Yes
sir.
Q Does he know of anyone who had filed after he learned she died?
A Daniel Pickett.
Q Does he know of anyone else that filed? A They was the ones
that filed first.
Q Who was the first? A That's a brother of Winnie War-
ner's.
Q I have heard of him, but he is living out there.
Q Did you ever see this niece of yours after you knew the land
office was open? A He says she was living after the land office
opened but she didn't live there long after it opened, not very long,
yes, as soon as her.

Johnson Pickett being duly sworn, testified as follows through
Mr. Brown:

Q What is your name? A Johnson Pickett.
Q What is your age? A Forty four.
Q What is your post office address? A Sapulpa.
Q Do you know Winnie Warner? A Yes sir.
Q Are you any relation to her? A Some relation but can't say how
close.
Q How close was Winnie Warner when she died? A He says she must
have been over 12 or 13; she was good sized.
Q How long was she dead? A It was during the filing.
Q How many years ago did she die? A He says he thinks in 1895
or 1896.
Q How long after she died did you hear of her? A He says he
heard of her in 1897 or 1898.
Q How long after she died did you hear of her? A He says he
heard of her in 1897 or 1898.
Q How long after she died did you hear of her? A He says he
heard of her in 1897 or 1898.

CR EN 86d

CR EN 86d

Cr. No. 888.

Muskogee, Indian Territory, June 23, 1906.

Charlie Sneed,

Ocmulgee, Indian Territory.

Dear Sir:

You are hereby advised that the names of your minor children, John, Sue Willie, Charles Jr. and Ernest Sneed, are contained in the partial list of citizens by blood of the Creek Nation, approved by the Secretary of the Interior June 16, 1906, and that selections of land in the Creek Nation may now be made for them at the Creek Land Office in Muskogee, Indian Territory.

This matter should receive your prompt attention.

Respectfully,

Commissioner.

Or En 868

Muskogee, Indian Territory, January 10, 1906.

M. L. Mott,

Attorney for the Creek Nation,
Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the
Commissioner to the Five Civilized Tribes, dated January 9, 1906,
in the matter of the application for the enrollment of John, son
of Willie, Charles Jr. and Ernest Speed, as citizens by blood of the
Creek Nation.

You are hereby advised that the Creek Nation will be al-
lowed fifteen days from date hereof within which to protest
against the enrollment of the above named persons as citizens
of the Creek Nation, and, if at the expiration of said time, no
protest has been filed, the said persons will be regularly listed
for enrollment as citizens by blood of the Creek Nation.
Respectfully,

Commissioner.

JYM-10-5

En. 838.

Muskogee, Indian Territory, June 2, 1908.

Charles H. Sneed,

Oklmulgee, Indian Territory.

Dear Sir:

The Commission desires further evidence in the matter of the application for the enrollment of your minor children, John Sneed, Sue Willie Sneed, Charles Sneed, Jr. and Ernest Sneed as citizens by blood of the Creek Nation. You are hereby notified that you will be allowed twenty days from date within which to appear before the Commission at its office in Muskogee, Indian Territory, with at least two witnesses who know the dates of the birth of said children, and who are able to identify them as your children.

Respectfully,

Commissioner in Charge.

COMMISSIONER TO THE INDIAN TERRITORY
DEPARTMENT OF THE INTERIOR

In the matter of the application for the enrollment of John
Sue Willie, Charles, Jr., and Ernest Sneed, as citizens by blood
of the Creek Nation.

.....DECISION.....

The records of this Office show that the names of John,
Sue Willie, Charles, Jr. and Ernest Sneed (the last under the name
of Ernestine Sneed) appear on old Creek Census Card 2203, which
card was prepared prior to September 1, 1904, and is considered
as an application for the enrollment of John, Sue Willie, Charles
Jr. and Ernest Sneed, as citizens by blood of the Creek Nation.
Further proceedings were had December 16, 1904, and June
27, 1905.

The evidence shows that John Sneed, Sue Willie Sneed,
Charles Sneed, Jr. and Ernest Sneed are the minor children of
Charles Sneed, whose name is contained in the partial list of
Greek citizens by blood approved by the Secretary of the Interior
March 13, 1902, No. 1026; that all of said applicants were born
prior to April 1, 1899, and were living at the date of the last
proceedings herein.
It is, therefore, ordered and adjudged that said John Sneed,
Sue Willie Sneed, Charles Sneed, Jr. and Ernest Sneed are en-
titled to be enrolled as citizens by blood of the Creek Nation,
in accordance with the provisions of the act of Congress March 1,
1901 (31 Stat. 861), and the application for their enrollment
as such is accordingly granted.

Commissioner.

Mapachee, Indian Territory.

JAN 9 1906

What is your name? A. Mrs. Gnead, being duly sworn, testified as follows:
 Q. Are you a citizen of the Greek Nation? A. Yes, sir.
 Q. How old are you? A. I am thirty-nine years.
 Q. What is your position? A. Housewife.
 Q. Are you any kin of Charles Gnead there? A. Yes, sir, he is my brother.
 Q. Do you live near your brother? A. He lives in Osmangee and I live a few miles north of there on a farm.
 Q. Do you go to his house often? A. Yes, sir.
 Q. Have you ever seen his children? A. Yes, sir.
 Q. Can you name them all? A. I don't know sir whether I can or not.
 Q. Do the best you can? A. John, Sue Willie, Charlie, Almarina and Peoria.
 Q. How many children has he? A. They have six I believe or seven.
 Q. You have named five of them. Do you suppose you would know the name of the other if it were called? A. Yes, sir.
 Q. Is it Harvey? A. No, sir.
 Q. Which one is the oldest of those children? A. John.
 Q. The next eldest? A. Sue Willie.
 Q. Do you know how old John is? I don't know exactly how old. I don't remember what year he was born in.
 Q. Do you know John is the son of your brother here? A. Yes, sir. We have been together all our lives.
 Q. Do you know the name of John's mother? A. Yes, sir.
 Q. What is it? A. Fannie Gnead.
 Q. She is a full blood negro isn't she? A. That's too hard for me.
 Q. She has no right in the Greek Nation either as a citizen by blood or a freeman? A. No, sir.
 Q. You are sure that these children are the children of your brother Charles? A. Yes, sir.
 Q. He has always recognized them as such as far as you know? A. Yes, sir.
 Q. Are they all living? A. Yes, sir.
 Q. When did you see them last? A. This morning.
 Q. Is that other child's name Ernest? A. Yes, sir.
 Q. Were you present when any of these children were born? A. Yes, sir.
 I was right around the place. We are right together.

I, Anna Garrison, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 28th day of June, 1905.

Anna Garrison
 Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
Muskegon, Indian Territory, June 27, 1902.

In the matter of the application for the enrollment of
John, Sue Willie, Charles Jr. and Ernest Sneed as citizens of
the Creek Nation.

ADDITIONAL TESTIMONY.

Paulina Sneed, being duly sworn, testified as follows:

By Commission.

Q What is your name? Paulina Sneed.
Q How old are you? A I don't remember exactly, about thirty.
Q What is your position? A Ocmulgee.
Q Are you a citizen of the Creek Nation? A No, sir.
Q Do you know Charles H. Sneed? A Yes, sir.
Q Is he any kin to you? A He is my husband.
Q Are you the mother of John, Sue Willie, Charles Jr. and Ernest Sneed?
A Yes, sir.
Q Those are your children are they? A Yes, sir.
Q About how old is John? A John is sixteen.
Q Is he living? A Yes, sir.
Q What is the name of the next one just younger than John? A Sue Willie.
Q Is it a boy or girl? A Girl.
Q How old is she? A Fifteen.
Q What is the name of the next one? A Charles.
Q How old is he? A He is thirteen.
Q What is the name of the next one? A Ernest.
Q How old is he? A Ten.
Q Are there any other children? Yes, sir.
Q Got any more children? A Yes, I got two more.
Q What is their name? A Almarie and Peoria.
Q Is that the whole crop now? A Yes, sir.
Q Who is the father of those children? A Charles Sneed.
Q Where is he? A Here he is.
Q Are those children all living? Yes, sir.
Q Where? A In Ocmulgee.
Q Living at home with you and him? A Yes, sir.
Q Is that oldest one married? A No, sir.
Q They have never been here before the Commission have they? A No, sir.
Q Do you know why it is your husband never made application for
these children until less than a year ago, for the first four of
these children? A He was just waiting until they had time to wait
on him. He had them on the roll. He was just waiting until they
went for him to come and file.
Q The last two children Almarie and Peoria were on the roll, they
were enrolled when he was? A Yes, sir. But these oldest ones were not.
Q He was just waiting on the Commission to call him in.
Q You are sure he has these four children? A Yes, sir.
Q Are they all living? A Yes, sir.
Q About the ages given before? A Yes, sir.
Q Are they his children? A Yes, sir. I am sure they are his.
Q Did you ever know that youngest child of yours to be called by any
other name? The youngest one of the family? A He is Ernest.
Q Did you ever know him by any other name? A No, sir.

mitted? A Yes sir.
Q What are their names? A Peoria and Almarina Sneed.
Peoria and Almarina Sneed are listed for enrollment on the card
with their father and they are also on the approved roll Nos. 1027
and 1028.

By Charles D. Rogers: (Attorney for applicants)
Q Did you think these children were already enrolled; is that the
reason? A Yes sir; I thought what they had here--(referring to the
old Census card)-- was enough; that they was enrolled.

Henry G. Hains being sworn on his oath states that as stenographer
to the Commission to the Five Civilized Tribes he reported the above
case and that this is a full, true and correct transcript of his
stenographic notes in same.

Henry G. Hains.

Subscribed and sworn to before me this 15th day of December, 1904.

Sam S. Hines

Notary Public.

MUSKOGEE, I.T. DEC. 15, 1904.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

the Great Station.
The Willie Charles Jr. and Ernest Speed, as citizens by blood of
In the matter of the application for the enrollment of sons,
to

(The records of the Commission show that the names of John, Sue Willie, Charles Jr., and Ernest Sneed, (the latter under the name of Ernestine Sneed), appear on Old Creek Bureau Card 2803, with their father Charles Sneed.

Charlie Sneed being duly sworn testified as follows:

By the Commission:

Q She is not a citizen of the Creek Nation? A No sir.
Q What is the name of their mother? A Panning Sneed.
Q You are their father? A Yes sir.
Q Are these children living? A Yes sir every one of them is living.
Q How old is her? A About nine.
Q What is the name of the next? A Ernest Sneed.
Q How old is her? A About 12.
Q What is the name of the next? A Charles Sneed.
Q How old is she? A About 14.
Q What is the name of the next? A Sue Willie Sneed. She is the next oldest.
Q What is the name of the next? A John Sneed.
Q Yes sir.
Q You want to give some evidence relative to some children of yours?
Q What is your best office address? A Okmulgee, Indian Territory.
Q 1882? A Yes sir.
Q How old are you? A I was born in '62.
Q Sometimes O.H. Sneed; my name is Charlie Sneed.
Q What is your name? A Charlie H. Sneed; in some places it is;

The records of the Commission show that Charlie Speed, father of the above named children, is listed for enrollment on Greek Island card filed No. 307, and that his name is contained in the partial list of Greek citizens by blood approved by the Secretary of the Interior March 13, 1902, No. 1028.

It further appears that he was admitted to citizenship in the Greek Nation by the Goldert Commission September 4, 1896, and 573.

Q. These children that you have just named were born before you were admitted to citizenship, were they? A. Yes sir.

CR EN 898

CR EN 898

En. 100

Wesley, Indian Territory, January 2, 1907.

Dave Gonyer,

Tidmore, Indian Territory.

Dear Sir:

You are hereby advised that on December 27, 1906, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes denying the application for the enrollment of Walter Scott, deceased as a citizen of the Creek Nation.

Respectfully,

Commissioner.

No. 647

Muskogee, Indian Territory, January 9, 1907.

M. L. Hoff,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that on December 22, 1906, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes denying the application for the enrollment of Robert and Solomon Bear, both deceased, as citizens by blood of the Creek Nation.

Respectfully,

Commissioner.

424

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

| |
|----------------------------------|
| REFER IN REPLY TO THE FOLLOWING: |
| No. 867 |
| |
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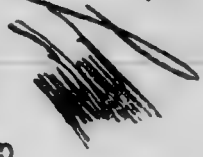
Muskogee, Indian Territory, January 8, 1907.

Wetumka, Indian Territory,
Nancy Bear,

Dear Madam:

You are hereby advised that on December 27, 1906, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes denying the application for the enrollment of Robert and Solomon Bear, both deceased, as citizens by blood of the Creek Nation.

Respectfully,



Commissioner.

444

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

| |
|----------------------------------|
| REFER IN REPLY TO THE FOLLOWING: |
| No. 867 |
| |
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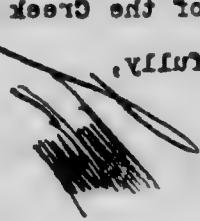
Muskogee, Indian Territory, January 9, 1907.

Kono Harjo,
Wetumka, Indian Territory.

Dear Sir:

You are hereby advised that on December 27, 1906,
the Secretary of the Interior affirmed the decision of the
Commissioner to the Five Civilized Tribes denying the applica-
tion for the enrollment of Robert and Solomon Bear, both
deceased, as citizens by blood of the Creek Nation.

Respectfully,



Commissioner.

The preponderance of the evidence establishes the fact that the applicant herein died previous to April 1, 1899, and therefore in view of Section 28 of the Act of March 1, 1901 (31 Stat. L., 861), the decision of the Commissioner adverse to the applicant is recommended for approval.

Very respectfully,

C. B. Larabee,

Acting Commissioner.

HRD

C

COPY

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

LAND:
25228-1906

December 12, 1906.

The Honorable,

The Secretary of the Interior,

Sir:

There is enclosed a report from the Commissioner to the Five Civilized Tribes, dated July 11, 1906, transmitting the record relative to the application of Robert Bear, et al., for enrollment as citizens of the Creek Nation.

On May 1, 1901, application was made to the Commission to the Five Civilized Tribes for the enrollment of Robert Bear (deceased) and Solomon Bear (deceased), as citizens by blood.

Further proceedings in reference to the application were had on October 12, 1904, January 7, 1905, and April 13 and 14, 1906.

On July 10, 1906, the Commissioner held that the applicants were not entitled to enrollment as citizens by blood of the Creek Nation.

Robert and Solomon Bear are also referred to in the evidence as Robert and Solomon Bair.

The record includes the affidavits showing the date of the death of the two applicants and also contains a copy of the testimony taken in the enrollment cases of David C. Watson and John Watson, both deceased.

I inc. and 2 for Ind. Of.
of Indian Affairs.
Through the Commissioner

First Assistant Secretary.
(Signed) Thos. Ryan,
Respectfully,

Office for its files.
The papers in the case have been returned to the Indian
decision is hereby affirmed.

The Department concurs in said recommendation, and your
letter is inclosed.

Office recommends that your decision be approved. A copy of its
Reporting December 12, 1906 (Land 55228), the Indian

applicants.
Nation, including your decision of July 10, 1906, adverse to the
Solomon Bear, both deceased, as citizens by blood of the Creek
matter of the application for the enrollment of Robert and
July 11, 1906, your office transmitted the record in the

Sir:

Muskogee, Indian Territory.

Commissioner to the Five Civilized Tribes,

December 27, 1906.

I.T.D. 25150-1906.

YHE.

WASHINGTON.

DEPARTMENT OF THE INTERIOR,

D.C. 615-1907.

Dr. Mr. 207.

Winnipeg, Indian Territory, July 11, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Robert and Solomon Bear, both deceased, as citizens by blood of the Creek Nation, including the decision of the Commissioner, dated July

10, 1906.

Respectfully,

Acting Commissioner.

IM-115.

Through the
Commissioner of Indian Affairs.

67-111-114

Washington, Indian Territory, July 11, 1904

M. L. West,

Attorney for Creek Nation,

Washington, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Robert and Solomon Bear, both deceased, as citizens by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Acting Commissioner

67-111-114

144

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

REPLY IN REPLY TO THE FOLLOWING:
Cr. In. 867.

Muskogee, Indian Territory, July 11, 1906.

Nancy Bear,

Wetumka, Indian Territory.

Dear Madam:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of your minor children, Robert and Solomon Bear, both deceased, as citizens by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

W. C. Brown
Acting Commissioner.

Register.
IM-112.

POWER OF ATTORNEY.

KNOW ALL MEN BY THESE PRESENTS:

That *Wm. H. Hays* of *Indian Territory*, has made, constituted and appointed,

and by these presents does make, constitute and appoint *Wm. H. Hays* of *Indian Territory*, for him and in his

name, place and stead, to *make an application for release of bond in the Creek Nation for my late husband Robert Hays and my son William Hays (deceased)* as I am not able to come to file.

giving and granting unto *the said attorney* for a period of *two* years from the date hereof full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as he could do if personally present, hereby ratifying and confirming all his said attorney shall lawfully do, or cause to be done, by virtue hereof.

This the *24th* day of *August* 190*2*
Wm. H. Hays
Wm. H. Hays

POWER OF ATTORNEY.

KNOW ALL MEN BY THESE PRESENTS:

That *Henry H. Hays* of *Nebraska* Indian Territory, has made, constituted and appointed,

and by these presents does make, constitute and appoint *Henry H. Hays* of *Nebraska* the true and lawful attorney, for him and in his

name, place and stead, to *make an application for selection of land in the Creek Nation for my late husband Robert Hays and my son Robert Hays (deceased)* as I am not able to come to file.

giving and granting unto his said attorney for a period of *two* years from the date hereof full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as he could do if personally present, hereby ratifying and confirming all his said attorney shall lawfully do, or cause to be done, by virtue hereof.

This the *10th* day of *August* 190*3*.
Henry H. Hays
Robert H. Hays

UNITED STATES OF AMERICA, INDIAN TERRITORY.
JUDICIAL DISTRICT.

On this the 24 day of August 1901, before me, the undersigned Notary Public, within and for the above named district, personally appeared *Wesley H. Hays* to me well known to be the person whose name is signed as grantor to the within Power of Attorney, and he acknowledges to me that he had signed the same as his free act and deed for the purpose therein set forth. This 24 day of August 1901.

My Commission expires *Aug 25* 1901.

Wesley H. Hays
Notary Public.

Printed and for sale by Times Printing Co., Hesperia, Cal.

| | | | |
|----|--------|-------------------------|--------|
| By | Deputy | Recorded on the | day of |
| | | 1901, on p. | book |
| By | Deputy | Filed for record on the | day of |
| | | 1901, at o'clock M. | |

POWER OF ATTORNEY

10

00000

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Robert Bear and Solomon Bear, both deceased, as citizens by blood
of the Greek Nation.

DECISION.

It appears from the records in the possession of this
office that on May 1, 1901, the names of Robert E. Bear and Solomon
Bear were listed for enrollment by the Commission to the Five
Civilized Tribes as Greek freedmen said field No. 3763. The listing
of said names is considered in the nature of an original application
for the enrollment of said Robert E. Bear and Solomon Bear as
citizens by blood of the Greek Nation. Further proceedings were
had in this matter October 12, 1904, January 7, 1905, April 12 and
April 14, 1906. Copy of testimony taken March 28, 1906, in the
matter of the enrollment of David C. Watson, deceased, and John
Watson, deceased, as citizens by blood of the Greek Nation, also
affidavits, one in the matter of the death of Robert E. Bear and
another in the matter of the death of Solomon Bear, are attached to
and made part of the record in this case.

The evidence herein shows that said Robert E. Bear and
Solomon Bear, also referred to as Robert Bear and Solomon Bear, are
more commonly known as Robert Bear and Solomon Bear and further
reference to said applicants in this decision will be made under
the names last used.

The evidence in this case as to the dates of death of said
Robert Bear and Solomon Bear is contradictory and for the most
part indefinite, but the weight of evidence establishes such dates
as prior to April 1, 1899.

It is, therefore, ordered and adjudged that there is no
authority of law for the enrollment of said Robert Bear and Solomon
Bear, both deceased, as citizens by blood of the Greek Nation and
the application for their enrollment as such is accordingly denied.

Commissioner.

Shawnee, Indian Territory.

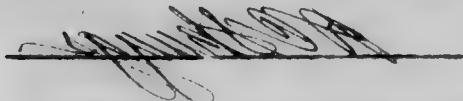
JUL 10 1906

Ex. 887.-----2.

Q Have you any interest in this case? A No, sir. He was a friend of mine but no relative. The circumstances of his death is very clear in my mind. He was sick eight days, dying on the evening of the eighth day. He fully believed that if he survived ten days he would recover.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.



Subscribed and sworn to before me this 30 day of April, 1906.


Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE RIVER CIVILIZED TRIBES
Wetumpka, I. T., April 14, 1906.

In the matter of the application for the enrollment of Robert Bear, deceased, and Solomon Bear, deceased, as citizens of the Creek Nation.

AMOS KING, being duly sworn, testified as follows:

Through Alex Posey official interpreter:

BY THE COMMISSIONER:

Q What is your name? A Amos King.
Q How old are you? A About thirty-four.
Q What is your post office? A Wetumpka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q Do you know Robert Bear? A Yes, sir, I was acquainted with him.
Q Do you know when he died? A He died in 1899.
Q Do you know in what month? A He died in the latter part of March of that year but I do not remember the day.
Q How do you fix the date of his death? A Because he died of the same disease that almost entirely killed off the Watson family.
Q Can you name any of the members of the Watson family who died at that time? A Dave Watson. I do not recall the names of the others.

Reference is here made to the testimony of Katy Watson taken March 28, 1906, in the matter of the enrollment of David G. Watson, deceased, and John Watson, deceased, as citizens of the Creek Nation, in which the witness presents a Greek Testament containing the following entries; relative to the deaths of David G. and John Watson:
"David Watson March 6, 1899."
"John Watson Feb 18, 1899."

Q Do you know how long it was after Dave Watson died before Robert Bear died? A Something like two weeks.
Q Are you positive? A Yes, sir. It may have been a little over two weeks but it was in that month.
Q Were you present when Robert Bear died? A Yes, sir. I waited on him during his last illness and assisted at his burial. Another circumstance which helps me fix the date of his death is that it snowed after we buried him.
Q Did you purchase any burial material? A No, sir, we buried him in the clothes that he had and buried up some lumber from the floor of the house and made his coffin. We made no purchases in town of any burial material.
Q Do you remember the circumstances of the opening of the Greek Testament? A I remember the circumstances but can give no dates.
Q Was Robert Bear living when people first began making selections of land? A No, sir.
Q Did Robert Bear have a son named Solomon who died before he died? A Yes, sir, but I do not remember just when that child died. I only heard of his death. I never saw the child while it was sick and was not present at the burial, but I know he died before his father did.
Q Do you know what time the child had been dead when Robert Bear died? A According to my best recollection and belief the child had been dead about two weeks when his father died.

Ex. 807.-----2.

Q Did you have a funeral when Robert was buried? A We did not
give him a Church burial. Just a few of the neighbors gathered at
the grave. Nearly all those who were present are now dead.
Q Can you name any that are now living? A I cannot recall any.
The difficulty of securing witnesses is one thing that has prevented
me from looking after the enrollment of my husband and child.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.


D. C. Skaggs

Subscribed and sworn to before me this 20 day of April, 1908.


Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

NEAR.
Dustin, I. T., April 13, 1906.

In the matter of the application for the enrollment of Robert Bear, deceased, and Solomon Bear, deceased, as citizens by blood of the Creek Nation.

NANCY BEAR, being duly sworn, testified as follows:

Through Alex Posey official interpreter:

BY THE COMMISSIONER:

Q What is your name? A Nancy Bear.
Q How old are you? A About thirty-five.
Q What is your post office address? A Dustin.
Q You have heretofore testified in this case have you not? A Yes, sir.
Q Have you succeeded in fixing the date of the death of your husband, Robert Bear? A No, sir, not definitely. He has been dead between nine and ten years.
Q Are you positive he has been dead that long? A Something like nine or ten years. That boy there (indicating a boy who appears to be about nine years of age) was about three years old when his father, Robert Bear, died.
Q What is that boy's name? A Edward Bear.
Q How old is he? A He was nine years old last January. He was born about a week after New Year's.
Q Do you remember the circumstances of the opening of the Greek Land Office? A No, sir. People had been filling a long time before I filed.
Q Do you know in what month your husband, Robert Bear, died? A He died about this time of the year but I am unable to give any date.
Q If, as you state, Edward was three years old at the time your husband died and is nine years old now, your husband could not have died nine years ago? A I am positive Edward is going on ten years of age because John Lucas has a daughter who is just a week older than Edward and the father tells me his girl is past nine years of age.
Q Have you any record showing when Robert Bear died? A There was a record written on the grave-house but the grave-house has been destroyed by fire.
Q Where is on file in the office of the Commissioner an affidavit executed by you and Wiley Yabola stating that Robert Bear died April 3, 1899. Is that the correct date of his death? A I presume that is the correct date because Wiley Yabola knew the date of his death. I did not but signed the affidavit giving the date on which he said Robert died.
Q Is Wiley Yabola living? A No, sir.
Q Do you know when Solomon died? A He died just before his father died: probably about a week. We had not yet built the grave-house over his grave when his father died.
Q How old was Solomon when he died? A Nearly a year old. Solomon was born about two years after Edward.
Q We have another affidavit executed by you stating that Solomon died April 3, 1899. Is that the correct date of his death? A I did not know the date at the time I made the affidavit but Wiley Yabola did and I gave the date he told me. The child died a week time before his father. The father was sick at the time the child died.

Ex. 887.---2.

Q Do you know Tom Honey? A Yes, sir, he is a warrior for Quasarte
Town.
Q Would he know when Robert and Solomon died? A I do not know
whether he would know or not although he was living within five or
six miles of them.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 13 day of January, 1908.

Charles H. Skaggs
Notary Public

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
WITNESSES: I. T., JANUARY 7, 1908.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Robert and Solomon Bear, deceased, as citizens by blood
of the Creek Nation.

HARNEY DEERE, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Harney Deere but I may be enrolled as Komo
Marje. I am known by both names.
Q How old are you? A Thirty-four.
Q What is your post office address? A Wetumka.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Kialgee.
Q Did you know Robert Bear? A Yes, sir.
Q Do you know when he died? A He died after the land office opened.
Q How many years has he been dead? A It has not been quite five
years.
Q Do you know in what month he died? A I think he died in February.
Q Do you know in what year he died? A I think it was the year fol-
lowing the opening of the land office.
Q Do you know any one who had made selection of land at the time he
died? A Yes, sir, I think James Hanson had filed upon her allotment
at the time Robert Bear died.
Q Do you know whether or not a record was made of his death? A I
do not think that any record was made of his death.
Q Were you present at either his death or burial? A I was sick at
the time and was not present at either his death or burial.
Q Did he die in your neighborhood? A Yes, sir. I was living about
three or four miles from his place at the time of his death.
Q What relation was he to you? A No relation. He was the husband
of my wife at the time he died.
Q Do you know any one who would know the exact date of his death?
A I do not know.
Q Did Robert Bear die before the small-pox broke out in the western
part of the Creek Nation? A He died about a year after that. It
was after the Charles Goker pest-house burned that he died--about a
year after. The small-pox broke out in our neighborhood about a
year after it disappeared from the neighborhood of Charles Goker and
Hilabee Hutches and that is what fixes it in my mind as to about
when he died.
Q Did Robert Bear have a son named Solomon? A Yes, sir.
Q When did he die? A He died the same month that his father died.
They died about two weeks apart--the son died first.
Q How old was Solomon at the time of his death? A About three years
old.
Q Harney Bear swears that Robert and Solomon have not been dead
quite ten years? A She was mistaken. She told me that she gave
testimony before the Commission at Okmulgee in which she made that
statement but that she was mistaken.
Q Do you know Simms? A Yes, sir. He is Town King of Quasarte,
my wife's town.
Q Would Simms know when Robert and Solomon died? A I do not know
whether he would or not he was living at Bearson and Robert's and
Solomon died near Bearson.
Q How far apart are the two places? A Thirty miles, probably.

C. 3030.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., October 12, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Robert and Solomon Hair as citizens by blood of the
Greek Nation.

BIMMER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A Bimmer.
Q How old are you? A About forty-six.
Q What is your post office address? A Hardan.
Q Did you know Robert Hair, a son of Susan Harty? A Yes, sir.
Q His wife was named Nancy? A Yes, sir, she is here.
Q Was Robert Hair a member of your town? A He was a Two-Step.
Q Did Robert Hair die before the Greek Land Office was opened or
after? A According to my best judgment he died before the land
office opened.
Q Do you know a child of his named Solomon? A No, sir.

TOM BONEY, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A Tom Boney.
Q How old are you? A Something over fifty-five.
Q What is your post office address? A Garman.
Q Did you know Robert Hair? A Yes, sir.
Q Did he die before the Greek Land Office opened or after? A I
think he died before the land office opened.
Q Did you know a child of his named Solomon? A The only child of
his that I know is named Edward, that is now living.
Q There is one child that is dead? A I know no other child of
his but Edward.
Q Did Robert Hair die before the Small Fox broke out in the western
part of the Greek Nation? A He died before the Small-Fox.

NANCY HAIR, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A Nancy Hair.
Q How old are you? A About thirty.
Q What is your post office address? A Hardan.
Q Was you at one time married to Robert Hair? A Yes, sir.
Q How long has he been dead? A Not quite two years.
Q Did you have a child named Solomon? A Yes, sir, now dead.
Q Which died first Robert or Solomon? A Solomon died first.

I, D. G. Shaffer, do hereby certify that the above and foregoing is a
true and correct transcript of my stenographic notes as taken in said
examination on said date.
Witness my hand and seal of office this 14th day of October, 1904.
D. G. Shaffer,
Notary Public.

CR EN 897

CR EN 897

444
Greeks No. 888

Muskogee, Indian Territory, January 7, 1908.

M. I. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is inclosed herewith a copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Jesse Harjo as a citizen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be allowed fifteen days from date hereof within which to protest against said decision, and if at the expiration of that time no such protest has been made, said Jesse Harjo will be regularly listed for enrollment as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

WCH-26.

REFER IN REPLY TO THE FOLLOWING

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

B. A. 92.

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY

ALLISON L. AYLESWORTH,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, November 17, 1903.

Miller,

Wetumka, Indian Territory.

Dear Madam:

There is on file with the Commission an affidavit executed by you relative to the birth of your minor child, Jesse, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case. You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of the birth of said child, for the purpose of being examined under oath.

Respectfully,

Chairman.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

17. BE Application for Enrollment, as a citizen of the
of *Cherokee*
Name of Father: *Thomas*
Name of Mother: *Millie*
born on the *27* day of *September*, 1901
a citizen of the *Cherokee* Nation.
a citizen of the *Cherokee* Nation.
Post-office, *Wetumpka, Ok.*

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District, *Northwestern*

I, *Millie*,
years of age and a citizen, by *blood* of the *Cherokee* Nation;
that I am the lawful wife of *Thomas*, who is a citizen, by *blood* of the *Cherokee* Nation, that a *male* child was
born to me on the *27* day of *September*, 1901; that said child has been
named *James*, and is now living.

WITNESSES TO MARK

(Must be Two)
Witnesses

Charles Leachman
W. S. Dingle

Subscribed and sworn to before me this *9* day of *September*, 1901.
William J. Martin
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District, *Northwestern*

I, *Lucinda*,
attended on Mrs. *Millie*, wife of *Thomas*, on the *27* day of *September*, 1901; that there was born to her on
said date a *male* child; that said child is now living and is said to have been
named *James*.

WITNESSES TO MARK

(Must be Two)
Witnesses

Charles Leachman
W. S. Dingle

Subscribed and sworn to before me this *9* day of *September*, 1901.
William J. Martin
NOTARY PUBLIC

IN RE

Application for Enrollment of

INFANT CHILD

as a citizen of

Nation

190

(Commissioner)

Booked on Co. C. = 3800

DEPARTMENT OF THE INTERIOR

RECEIVED

Apr. 21 1900

100-4000

3.2.2.
En. 888

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Lesaie Harjo as a citizen by blood of the Creek Nation.

D E C I S I O N .

The record in this case shows that on September 9, 1901, the affidavit of Millie relative to the birth of Lesaie Harjo was filed with the Commission at Muskogee, Indian Territory, which said affidavit is considered by the Commission as an application for the enrollment of said Lesaie Harjo as a citizen by blood of the Creek Nation. Further proceedings were had December 10, 1904. The evidence shows that said Lesaie Harjo is the son of Tommochee and "Millie" Harjo whose names are found in the partial list of citizens by blood of the Creek Nation, approved by the Secretary of the Interior, March 28, 1902, Roll Nos. 8931 and 8128, respectively; that he was born prior to May 25, 1901, and living at the date of the application herein. It is, therefore, the opinion of the Commission that said Lesaie Harjo should be enrolled as a citizen by blood of the Creek Nation in accordance with the provisions of the act of Congress, June 30, 1902 (32 Stat., 500), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

CHAIRMAN

COMMISSIONER

COMMISSIONER

MUSKOGEE, INDIAN TERRITORY,

APR 6 1905

3
J. L. 888
No. 888

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

In the matter of the application for the enrollment of Jesse
Harjo as a citizen by blood of the Creek Nation.

SUPPLEMENTAL STATEMENT.

The records of the Commission examined and Tommoche Harjo and
"Mille", father and mother of said Jesse Harjo, identified on the
partial list of citizens by blood of the Creek Nation, approved by
the Secretary of the Interior March 28, 1902, Roll Nos. 8931 and
8128, respectively.


Commissioner

Muskogee, Indian Territory,

December, 10, 1904.

60673
888
Em. 866

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

In the matter of the application for the enrollment of Lesaie Harjo as a citizen by blood of the Creek Nation.

SUPPLEMENTAL STATEMENT.

The records of the Commission examined and Tommoche Harjo and "Millie", father and mother of said Lesaie Harjo, identified on the partial list of citizens by blood of the Creek Nation, approved by the Secretary of the Interior March 28, 1902, Roll Nos. 8981 and 8128, respectively.



Commissioner

Muskogee, Indian Territory,

December, 10, 1904.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I. T. DEC. 6, 1904.

In the matter of the application for the enrollment of Jesso Harjo as a citizen by blood of the Creek Nation.

Sam Haynes, sworn interpreter;
Tommoochee Harjo being duly sworn, testified as follows through

Q By the Commission:
Q What is your name? A Tommoochee Harjo.
Q How old are you? A 29.
Q What is your post office address? A Wetumka.
Q Have you a child named Jesso? A Yes sir; it is living at home.
Q How old is that child? A About five years old.
Q When was he born? A He don't remember what month.
Q What year was it? A The child is five years old but he don't know--
Q What is the name of its mother? A Millie

An affidavit relative to the birth of the child, Jesso Harjo, was filed with the Commission September 9, 1901, and is made part of the record herein.

Q Have you any other children? A Got one.
Q Younger than this one or older? A Younger.
Q How old is that young child? A Just an infant.
Q Jesso Harjo being duly sworn, testified as follows through Mr. Haynes:

Q By the Commission:
Q What is your name? A Jesso Harjo.
Q How old are you? A 35.
Q What is your post office address? A Wetumka.
Q Do you know Tommoochee Harjo and his wife, Millie? A Yes sir.
Q Do you know a child of theirs named Jesso? A Yes sir.
Q How old is Jesso? A About 5; pretty near 5.
Q Can he walk and talk? A Yes sir.
Q How far do you live from Tommoochee? A About 2-1/2 miles.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above and that this is a full, true and correct transcript of his stenographic notes in same.

Subscribed and sworn to before me this 7th day of December, 1904.

Notary Public.

CR EN 888

2
EN
888

Ex. 885.

Muskogee, Indian Territory, June 2, 1905.

Sharper Hope,

Stidham, Indian Territory.

Dear Sir:

You are advised that the name of your minor child, Martha Hope is contained in the partial list of Creek Freedmen, approved by the Secretary of the Interior May 22, 1905, and that application for a selection of land in the Creek Nation may now be made for said Martha Hope at the office of the Commission in Muskogee.

Indian Territory.

Respectfully,

Commissioner in Charge.

CR 88 888

Washoe, Indian Territory, March 21, 1905.

W. L. Hoff,

Attorney for the Creek Nation.

Washoe, Indian Territory.

Sir:

There is enclosed herewith a copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Martha Hope as a Creek Freedman. You are hereby notified that the Creek Nation will be allowed fifteen days from date hereof within which to file protest against said decision, and if, at the expiration of that time, no such protest has been made, said Martha Hope will be regularly listed for enrollment as a Creek Freedman. Respectfully,

Chairman.

LYN-21-8.

88/9

B. A. 60.

Muskogee, Indian Territory, March 28, 1904.

Sharper Hope,

Wetzel, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of March 22, enclosing affidavit relative to the birth of Martha Hope, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. You request that her name be placed on the rolls.

In reply you are advised that it is required that two witnesses who know the date of the birth of said child appear before the Commission at its office in Muskogee, Indian Territory, for the purpose of being examined under oath.

Respectfully,

Commissioner in Charge.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In Re Application for Enrollment, as a citizen of the _____ Nation,
of _____ (Here insert name of child)
born on the _____ day of _____ 1901
Name of Father: _____ a citizen of the _____ Nation.
Name of Mother: _____ a citizen of the _____ Nation.
Post-office _____

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District _____

I, _____, on oath state that I am _____ years of age and a citizen, by _____ of the _____ Nation;
that I am the lawful wife of _____ who is a citizen, by _____ of the _____ Nation;
that a _____ child was _____ (Male or female) _____ day of _____ born to me on _____ day of _____; that said child has been named _____ and is now living.

WITNESSES TO MARK:

Must be Two
Witnesses.

Subscribed and sworn to before me this _____ day of _____ 1901.

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District _____

I, _____, on oath state that I attended on Mrs. _____ wife of _____ on the _____ day of _____ 1901; that there was born to her on said date a _____ child; that said child is now living and is said to have been named _____ (Male or female) _____

WITNESSES TO MARK:

Must be Two
Witnesses.

Subscribed and sworn to before me this _____ day of _____ 1901.

NOTARY PUBLIC.

IN RE

Application for Enrollment of

INFANT CHILD

Marta Lopez

as a citizen of

Peru

Nation.

Approved

190

Commissioner

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

MAR 20 1904

for the 1st time

E.C.G.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

En. 865.

--:O:--

In the matter of the application for the enrollment of Martha Hope as a Creek Freedman.

--: D E C I S I O N :--

The record in this case shows that on March 26, 1904, the affidavit of Dickey Hope, relative to the birth of Martha Hope, was filed with the Commission at Muskogee, Indian Territory, which said affidavit is considered by the Commission as an application for the enrollment of said Martha Hope as a Creek Freedman. Further proceedings were had November 28, 1904, at Stillman, Indian Territory.

The evidence shows that said Martha Hope is the daughter of James Hope and Hettie Hope, who are identified on the partial list of Creek Freedmen, approved by the Secretary of the Interior, March 13, 1902, Numbers 527 and 528, respectively; that she was born January 4, 1901, and living at the date of the application herein. It is, therefore, the opinion of the Commission that said Martha Hope should be enrolled as a Creek Freedman in accordance with the provisions of the act of Congress, June 30, 1902 (32 Stat., 500), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee Indian Territory.
MAR 20 1905

E.C.G.

No. 865.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

--:0:--

In the matter of the application for the enrollment of
Martha Hope as a Creek Freedman.

--: SUPPLEMENTAL STATEMENT --:

The records of the Commission examined and James and Nettie
Hope, father and mother of said Martha Hope, are identified on
the partial list of Creek Freedmen, approved by the Secretary
of the Interior, March 13, 1902, Numbers 527 and 528, respectively.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Commissioner.

Muskogee, Indian Territory.

A. 60.---8.

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

D. C. Skaggs

Subscribed and sworn to before me this 5 day of December, 1904.

Edward L. Hines

Notary Public.

Q How old is that child? A Martha is about four years old past. I don't know what month she was born in--I can't tell you that.

The child is present and appears to be at least three years of age.

Q Do you know in what month that child was born in? A No, sir, I don't.

Q Do you know what time of the year it was? A January. I just knew by what the old lady say about it I don't know a thing out it.

Q Do you know what year? A No, sir.

Q What relation is the child to you? A My grandchild.

Q Did you execute an affidavit and send it to the Commission? A We both made an affidavit.

Q Are the dates given in that affidavit correct? A I guess so.

Q Can the child talk? A Yes, sir.

Q About how long has it been since it began to talk? A About two years I reckon.

Q Are you positive that this child is over four years old? A Yes, sir.

Q Who attended on the mother when the child was born? A Dickey.

Q Is that your wife? A Yes, sir.

Q Was there any one else present? A I think not.

Q What fixes it in your mind that the child is over four years old? A Because Rachel, a daughter of Doc Williamson, had a child born the same day Martha was born and they got land for that child and I thought I could get it for this one.

Q What is that child's name? A I did know that child's name but I forgot it.

Q Do you know what its father's name is? A Sam something--Sam Jones I think. I think they all the child's name.

Q Did Doc Williamson tell you that he had selected land for this child? A No, sir.

Q Who told you? A The mother.

Q Rachel told you? A Yes, sir. The way we got the date of the birth to put in the affidavit we took the date of the birth of that child of Rachel's--they were born on the same day.

DICKER HOPK, being recalled, testified as follows:

BY COMMISSION:

Q Did you execute an affidavit at Eufaula about the birth of Martha? A Yes, sir.

Q When was that? A That was last fall I think.

Q The date of the birth of the child as given in that affidavit is correct is it? A Yes, sir.

Q Where did you get the date when you made the affidavit? A Had a record of it on a piece of paper.

Q When did you make the record? A I can't remember now.

Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.

Q Was Martha born at that time? A No, sir.

Q How long after the opening of the Creek Land Office was she born? A About a year or two.

Q Was it as much as two years? A It was about a year or two I can't tell exactly.

Q You are sure that it was a year or two are you? A No, sir, I am not sure.

Q Are you sure it was after the land office opened? A Yes, sir. I filed right at first and this child wasn't born then and I know it is over five years since I filed.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Stidham, I. T., November 28, 1904.

In the matter of the application for the enrollment of Martha Hope as a Creek Freedman.

DILSEY HOPE, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Dilsey Hope.
Q How old are you? A About forty.
Q What is your post office address? A Stidham.
Q Are you a Creek Freedman? A Yes, sir.
Q To what town do you belong? A I used to belong to North Fork Colored.
Q Do you know a child of James and Hettie Hope named Martha? A Yes, sir.
Q Is that child living? A Yes, sir.
Q What relation are you to the child? A Grandmother.
Q When was Martha born? A Born the fourth of January.
Q In what year? A I don't remember the year.
Q How long has it been since she was born? A I don't know.
Q How old is the child? A This child is going on four year and a half to my recollection.
Q Were you present when the child was born? A Yes, sir.
Q Did you attend on Hettie Hope when she gave birth to the child? A Yes, sir, there was no body but me and her.
Q What time of the year was it? A I can't tell you. To tell the truth it was January 4th. I call it the fourth it may be it was the fifth but I reckon it was the fourth.
Q It was in the winter time was it? A Yes, sir, it was cold.
Q There was no one present but yourself? A Just me and her.
Q Are the parents of this child living? A No, sir.
Q Is her mother dead? A Yes, sir.
Q The father is living is he? A He is living I reckon. He was mighty near dead when I heard from him about two weeks ago.
Q Where is he? A He is in the insane asylum.
Q When did the mother of Martha die? A Two years ago.
Q How old was that child when the mother died? A A year and a half.
Q When was the father sent to the asylum? A It has been two years since he was sent off.
Q You have taken the child and are raising it are you? A Yes, sir.
Q Are you positive that the child is over four years old? A I believe that child is over four years old. I make a mistake I can't keep a good recollection but I believe that child is four years and a half.

SHARPER HOPE, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Sharper Hope.
Q How old are you? A I am about fifty or fifty-eight years old.
Q What is your post office address? A Stidham.
Q You are a Creek Freedman are you? A That's what they call me-- I belong to the Inturn.
Q What town do you belong to? A Thlewathlee but they have put me down as a Freedman.
Q When they put you down as a Freedman what town did they put you in? A I don't know it just said Freedman.
Q Do you know a child of James and Hettie Hope named Martha? A Yes, sir.
Q Is that child living? A Yes, sir.

CR EN 892

CR EN 892

824

Muskogee, Indian Territory, August 9, 1905.

Wesley Barnett.

Proctor, Indian Territory.

Dear Sir:

You are hereby advised that the name of your deceased brother,

David Barnett, is contained in the partial list of citizens by
blood of the Creek Nation approved by the Secretary of the Inte-
rior July 31, 1905, and that application for a selection of land
in the Creek Nation for the heirs of said David may now be made
at the office of the Commissioner to the Five Civilized Tribes,

in Muskogee, Indian Territory.

An entire allotment of 160 acres must be selected at the

time of the original application.

Respectfully,

Acting Commissioner.

Gr. No. 884.

Muskogee, Indian Territory, April 21, 1903.

M. L. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of David Barnett, deceased, as a citizen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be allowed fifteen days from the date hereof within which to protest against said decision, and if, at the expiration of that time, no such protest has been made, said David Barnett, deceased, will be regularly listed for enrollment as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

IM-4-21-78.

D. A. S.
Muskogee, Indian Territory, September 3, 1904

Wesley Barnett,

No. 3228,

Box 47,

Leavenworth, Kansas.

Dear Sir:

The Commission is in receipt of your letter of August 23, in which you ask if your deceased brother, Dave Barnett, is entitled as a Creek citizen. In reply you are advised that application has been made for his enrollment.

January 7, 1904, the Commission addressed a letter to you at Wetumka, Indian Territory, directing you to produce two witnesses before the Commission who knew of the death of said Dave Barnett. This letter was returned unsealed for.

Action in the matter of your brother's enrollment is held for further testimony as to the date of his death. Respectfully,

874

REFER IN REPLY TO THE FOLLOWING

D. C. 2

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY,
ALLISON L. AYLESWORTH,
SECRETARY

Muskogee, Indian Territory, January 7, 1904.

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

Wesley Barnett,

Wetumka, Indian Territory.

Dear Sir:

There are on file with the Commission affidavits executed by you relative to the death of your brother, David Barnett, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case. You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of his death, for the purpose of being examined under oath.

Respectfully,



Commissioner in Charge.

Tully Mercantile Company

Successors to C. H. Tully.

Wholesale and Retail Merchants

DRY GOODS, CLOTHING, GROCERIES, BOOTS, SHOES, HATS, HARDWARE, QUEENSWARE,
IMPLEMENTS, FURNITURE, COTTINGS, LUMBER, LIME, CEMENT, HARNESSES AND SADDLES.

April 18th 1908

Enid, I. T.

Hen T. D. H. edlee,

Commissioner,

Enid, I. T.

Dear Sir:

Referring to your favor of 27th. ult in regard to

date of death of David Barnett, a brother of Wesley Barnett, beg
to say that we have no record of having sold burial material
for this party. We have made some enquiry in regard to death
of this party and have been unable so far to find any one that
knew him.

Yours truly,

Tully Mercantile Co

Dr.

Sec'y.

INDEXED

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|---------------------------|-----------|
| COMMISSION TO FIVE TRIBES | |
| No. | Received |
| 6517 | ANSWERED |
| 1905 APR 19 1905 | BOOK PAGE |

April 18, 1905.
 Buffalo, I. T.,
 To the Mercantile Company.

State that they have no
 record of having sold burial
 material for David Barnett.

CHECK

E.C.G.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

En. 864.

--:O:--

In the matter of the application for the enrollment of David Barnett, deceased, as a citizen by blood of the Creek Nation.

--: D E C I S I O N :--

The record in this case shows that on January 22, 1902, and on March 14, 1902, the affidavits of Wesley Barnett relative to the death of David Barnett, deceased, were filed with the Commission at Muskogee, Indian Territory, which said affidavits are considered as applications for the enrollment of said David Barnett, deceased, as a citizen by blood of the Creek Nation.

Further proceedings were had at Mollate, Indian Territory, December 1, 1904.

The evidence shows that said David Barnett, deceased, is identified on the 1890 authenticated Tribal Roll of the Creek Nation, and on the 1895 Tribal Roll of said Nation, and that he died antecedent to April 1, 1899.

It is, therefore, the opinion of the Commission that said David Barnett, deceased, should be enrolled as a citizen by blood of the Creek Nation in accordance with the provisions of the acts of Congress, June 28, 1898 (30 Stats., 492), and March 1, 1901 (31 Stats., 861), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory.

APR 20 1905

E.C.G.

En. 864.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

--:0:--

In the matter of the application for the enrollment of
David Barnett, deceased, as a citizen by blood of the Creek
Nation.

--: SUPPLEMENTAL STATEMENT:--

The 1890 authenticated Tribal Roll of the Creek Nation
examined and David Barnett identified thereon at page 119,
Hutchings Town, as David.
The 1895 Pay Roll of the Creek Nation examined and David
Barnett identified thereon at Number 182, Hutchings Town,
as David.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Commissioner.

Muskogee, Indian Territory,
January 26, 1905.

A. 5.---2.

The witness presents a piece of paper upon which appears some writing in the Greek language which is translated by the official interpreter as follows:
"A boy was born to Choctaw and his wife, Kizzie, April 17, 1899. on Tuesday."

Q Does this record refer to Sam Givena, a son of Choctaw and Kizzie Givena? A Yes, sir.
Q How long after the birth of the child did you make this record? A The same day the child was born.
Q Why did you make this record about their child? A I made the record at the request of the father. I write and read Greek and my neighbors have me make records of various kinds. I am a preacher and make many records on my own account.

---00000000---

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 6 day of December, 1904.

W. H. Skaggs
Notary Public.

A. S.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

McLester, I. T., December 1, 1904.

In the matter of the application for the enrollment of David Barnett as a citizen by blood of the Creek Nation.

KIZIE GIVENS, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Kizzie Givens.
Q How old are you? A I do not know.

Witness appears to be about thirty years of age.

Q What is your post office address? A McLester.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Tuckabatche.
Q Do you know David Barnett? A Yes, sir.
Q Is he living or dead? A Dead.
Q How long has he been dead? A He died in jail when my boy, Sam, was a baby and Sam is now going on five years old. (George Grow a neighbor of ours made a record of the birth of Sam and I think he still has it.)
Q How old was Sam when David Barnett died? A He had not been born long; he was very young.
Q Where did David Barnett die? A He died in jail at South McAlester.
Q He was in jail for breaking into a store over at Indianola.
Q To what town did David Barnett belong? A Kialigee.
Q About how old was he at the time of his death? A He was a young man between twenty and twenty-five years old.
Q Were you well acquainted with him? A Yes, sir.

GEORGE CROW, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A George Crow.
Q How old are you? A About forty-four.
Q What is your post office address? A McLester.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Weonike.
Q Do you know David Barnett? A Yes, sir.
Q Is he living or dead? A He died in jail at South McAlester.
Q How long ago has that been? A I do not know but I have a record of the death of my daughter, Sunday, and he was present at her burial.
Q That was just before he was arrested.
Q Have you that record now? A Yes, sir.

The witness presents a piece of paper upon which appears some writing in the Creek language which is translated by the official interpreter as follows: "Sunday died April 5, 1892."

Q How long was that before he was arrested? A It was just a short time. He was accounting from the officers at that time.
Q Did you make a record of the birth of Sam Givens son of Kizzie and Choctaw Givens? A Yes, sir.
Q Have you that record? A Yes, sir.

CR EN 894

CR EN 894

No. 863.

Muskogee, Indian Territory, August 14, 1906.

M. L. Mott,

Muskogee, Indian Territory.

Dear Sir:

You are hereby notified that under date of August 6, 1906, the Department affirmed the decision of the Commissioner to the Five Civilized Tribes, dated June 14, 1906, denying the application for the enrollment of Clara Bell Quinn, deceased wife of William F. Quinn, as a citizen of the Creek Nation.

Respectfully,

Acting Commissioner.

No. 883

Manassas, Indian Territory, August 14, 1908.

William F. Quinn,

Manassas, Oklahoma Territory.

Dear Sir:

You are hereby notified that under date of August 8, 1908, the Department affirmed the decision of the Commission to the Five Civilized Tribes, dated June 14, 1908, denying the application for the enrollment of your deceased wife, Clara Bell Quinn, as a citizen of the Creek Nation.

Respectfully,

Acting Commissioner.

Refer in reply to the following
Land: 50155-1905.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,

WASHINGTON, July 19, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated June 22, 1905, transmitting the record of the application for enrollment as a citizen by blood of the Creek Nation by William E. Quinn for his wife, Clara Bell Quinn, deceased.

June 14, 1905, the Commission decided adversely to the

application.

The record shows that prior to June 28, 1898, Clara Bell Quinn deceased, was a non-resident of Indian Territory; that she died in Oklahoma Territory, and that prior to her death she had not removed to and in good faith resided in the Creek Nation. In view of the record the approval of the Commission's decision adverse to the application is recommended.

Very respectfully,

C. J. Larrabee,

Acting Commissioner.

M. M. W.

328

I.T.D. 8782-1908.

GR. LEB. LRS.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, August 2, 1908.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

June 27, 1908, the Commission to the Five Civilized Tribes transmitted the record of the application of William F. Guinn for the enrollment of his deceased wife, Clara Self Guinn, as a citizen by blood of the Creek Nation, including the decision of the Commission dated June 14, 1908, denying said application. July 19, 1908, the Acting Commissioner of Indian Affairs reporting thereon, recommended that the decision of the Commission denying said applicant be affirmed. A copy of his letter is inclosed. The Department concurs in the recommendation made and the decision of the Commission to the Five Civilized Tribes dated June 14, 1908, denying the application of William F. Guinn for the enrollment of his deceased wife, Clara Self Guinn, as a citizen by blood of the Creek Nation, is hereby affirmed.

Respectfully,

(Signed) Theo. Ryan,

Acting Secretary.

1 inclosure.

Dr. M. M. 555

Washoe, Indian Territory, June 17, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Clara Bell Quinn, deceased, as a Creek Freedman, including the decision of the Commission, dated June 14, 1905.

Respectfully,

Chairman.

Through the

Commissioner of Indian Affairs.

IM-8-27-321

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500, 1000, 1000, 1000, 1000

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1000

There is no record of the decision of the Commission to the Vice President in the matter of the decision for the Commission of the Vice President, and the Commission, having this application, the decision, with a copy of the proceedings and is the case, in this day, transmitted to the Secretary of the Commission. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the

1000, 1000

1000, 1000

K. B. H.

| |
|----------------------------------|
| REPLY IN REPLY TO THE FOLLOWING: |
| Cr. No. 883. |

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS:
TAMM HICKY,
THOMAS B. NEEDLER,
C. R. BRICKWATER,
W. O. BRALL,
Secretary.

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

Muskogee, Indian Territory, June 27, 1905.

M. C. Quinn,

Dustin, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of your wife, Clara Self Quinn, deceased, as a citizen by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the

sincerely,

Respectfully,

Chairman.

Register.
TM-6-27-319.

44

| |
|----------------------------------|
| WRITE IN REPLY TO THE FOLLOWING: |
| RE. 883. |

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COMMISSIONERS:
TAMM BIXBY,
THOMAS A. NEEDLES,
C. R. BRIDGEMAN,
WM. O. HALL,
Secretary.

Muskogee, Indian Territory, January 26, 1905.

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

William E. Guinn,

Dustin, Indian Territory.

Dear Sir:-

In the matter of the application for the enrollment
of your deceased wife, Clara Guinn, you are notified that the
Commission desires further evidence relative to the date of her
death.

You are required to appear in person before the
Commission at its office, in Muskogee, Indian Territory, within
thirty days from date hereof, with at least one other witness
who knows the date of the death of said Clara Guinn, for the
purpose of being examined under oath.

Respectfully,

Chairman.

Register.

Handwritten: 4007

| |
|----------------------------------|
| REPLY IN REPLY TO THE FOLLOWING: |
| Case No 863 |

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

COMMISSIONERS:
TAMM BERRY,
THOMAS B. MERRILL,
C. E. BRIDGEMAN,
WM. O. REALL,
Secretary.

Muskogee, Indian Territory, January 20, 1906.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
ADDRESS ONLY THE

Gora Cooper,

Mand, Oklahoma Territory.

Dear Madam:

The Commission is informed that sometime during the year 1898 or 1899 burial clothes were purchased from you for Clara

Grinn, the deceased wife of William F. Grinn.

You are requested to inform the Commission if you have a

record of such a sale, and if so, the date on which it was made.

Respectfully,

Chairman.

I have no record of this
Sale
Prof. Gora Cooper

| | |
|---------------------------|----------|
| COMMISSION TO FIVE TRIBES | |
| 1905 JAN 24 1905 | Received |
| 3481 | No. |
| Book | Page |
| INDEXED | |

Cooper, Cora E.
Maud, Oklahoma Ter..
No date.

States she has no record of
purchase of burial clothes
for Clara Gulin.
Tullogee, Ind
Territory, January 20, 1905.

Creek In 863

Cora Cooper.

Maud, Oklahoma Territory.

Dear Madam:

The Commission is informed that sometime during the year 1896 or 1899 burial clothes were purchased from you for Clara Gulin, the deceased wife of William F. Gulin.

You are requested to inform the Commission if you have a record of such a sale, and if so, the date on which it was made.

Respectfully.

Chairman.

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REFER IN REPLY TO THE FOLLOWING

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

D.C. 50.

COMMISSIONERS

TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON L. AYLESWORTH,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 25, 1904.

William T. Quinn,

Enfala, Indian Territory.

Dear Sir:

There is on file with the Commission an affidavit executed by you relative to the death of your wife, Clara Quinn, who, it is claimed is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case.

You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of her death, for the purpose of being examined under

oath.

Respectfully,

Commissioner in Charge.

INDEXED

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|------|--|-------------|--|----------|--|----------------------------|--|
| 1905 | | NOV 17 1905 | | RECEIVED | | ANSWERED | |
| No. | | Book | | Page | | COMMISSION TO FIVE TRIBES. | |

Cooper, Corn E.,
Maud, Okla.,
November 13, 1905.

RECEIVED

Cannot give the exact
date of death of certain party.

~~Confidential~~

November 12 1902

Commissioners

I have been in the
office at the
the very
the
of April 1899

Respectfully

J. C. Gilman

Wm. H. Allen

INDEXED

NOV 15 1903

Gilmore, J. T.,
Mand, O. T.,
November 12, 1903.

CREEK

-----O-----
States that he did not
officially at the burial of
Mrs. Quinn.

I.D.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

363.

--0--

In the matter of the application for the enrollment of
Clara Self Quinn, deceased, as a citizen by blood of the Creek Nation.

---: D E C I S I O N :---

The record in this case shows that on October 27, 1902, the
affidavit of William F. Quinn, relative to the death of his wife
Clara Self Quinn, was filed with the Commission at Muskogee, Indian
Territory, which said affidavit is considered by the Commission as
an application for the enrollment of said Clara Self Quinn, deceased,
as a citizen by blood of the Creek Nation.
Further proceedings were had November 28 and November 30, 1904,
and January 22, 1905.
The evidence shows that prior to June 28, 1898, said Clara
Self Quinn, deceased, was a non-resident of Indian Territory; that
she died in Oklahoma Territory, and that prior to her death she had
not removed to and in good faith settled in the Creek Nation.
It is, therefore, the opinion of the Commission that there
is no authority of law for the enrollment of said Clara Self
Quinn, deceased, as a citizen by blood of the Creek Nation, and
that the application for her enrollment as such should be denied,
and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.


Chairman.


Commissioner.


Commissioner.

Muskogee, Indian Territory.
JUN 14 1905

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Hanna, I. T., January 23, 1905.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Clara Quinn as a citizen by blood of the Creek Nation.

WILLIAM F. GUINN, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A William F. Quinn.
Q How old are you? A Thirty-two.
Q What is your post office address? A Dustin.
Q Are you a citizen of the Creek Nation? A No, sir, I am a citizen
of the United States.
Q Did you know Clara Quinn? A Yes, sir, she was my wife.
Q She is dead is she? A Yes, sir.
Q How long has she been dead? A My boy is six years old--will be
six years old the seventh of August. She has been dead very near
seven years, I guess.
Q Do you know exactly when she died? A No, sir, I don't know
just-----well, she died the ninth of April but I don't know just what
year.
Q Are you positive that it has been about seven years ago since she
died? A No, sir, I am not certain.
Q You say your boy will be six years old next August? A Yes, sir.
Q How old was your boy when your wife died? A Just liked a few days
of being nine months old.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir. I went to file shortly after they first began
filing.
Q Did Clara die before or after the opening of the Creek Land Office?
A She died before the land office opened.
Q You are certain of that are you? A Yes, sir.
Q Where was she living at the time she died? A We was in Oklahoma--
we lived south of Muskogee.
Q That was her residence at the time she died? A Yes, we moved
around a good deal on account of her health.
Q Was she living in Oklahoma and a resident thereof on June 28,
1898? A I don't remember whether I had made a crop that year or
just went there on a visit.
Q How long had you lived in Oklahoma when she died? A I don't know
just exactly how long because we was on the road so much.
Q Had you been living there as much as a year when she died? A No,
sir, I don't believe we had.
Q You considered that your residence at that time? A Yes, I was
living there at that time.
Q You were living there in 1898? A Yes, sir, I believe I was.
Q Oklahoma was your residence then in 1898? A Yes, sir.

-----0:-----

I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 6 day of February, 1905.

Notary Public.
W. F. Quinn

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Dustin, I. T., November 30, 1904.

In the matter of the application for the enrollment of Clara
Guinn, deceased, as a citizen by blood of the Creek Nation.
Mrs. M. C. Guinn, being duly sworn, testified as follows:

BY COMMISSION:
Q What is your name? A M. C. Guinn.
Q How old are you? A Twenty-seven years old.
Q What is your post office address? A Dustin.
Q Are you a citizen of the Creek Nation? A Yes, sir, I am.
Q Did you know Clara Guinn? A No, sir, I was not acquainted with
her.
Q Was she the first wife of your husband? A Yes, sir.
Q How long has Clara Guinn been dead? A She has been dead the
seventh of April would throw it to be seven years ago. The child was
nine months old when she died and he will be seven years old the
seventh of next August and that makes it she has been dead six years.
Q What is the name of the child you spoke of? A William Ivery
Guinn.
Q Does that child live with you? A Yes, sir.
Q How old was William at the time Clara died? A Nine months old.
Q How old is he now? A He will be seven years old in August. He
was six the seventh of last August.
Q Has land been selected for William? A Yes, sir, it is right
over there but we have never got possession of it. There has been
some Snake Indians on it and we can't get possession of it.
Q Did Clara have any other children? A No, sir.
Q How long after Clara Guinn died were you and Mr. Guinn married?
A William was two years old at the time I and Mr. Guinn were married.
Q How long have you and Mr. Guinn been married? A We have been
married four years the fifteenth of last July.
Q Have you a marriage certificate? A I had it but something has
misplaced them.

---00000000---

I, D. C. Shaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
examine on said date.

Subscribed and sworn to before me this 5 day of December, 1904.

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Kulula, I. T., November 26, 1904.

In the matter of the application for the enrollment of Clara
Guinn, deceased, as a citizen by blood of the Creek Nation.

JAMES B. SMITH, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A James B. Smith.
Q How old are you? A Forty-seven.
Q What is your post office address? A Kulula.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Broken Arrow.
Q Did you know Clara Guinn? A Yes, sir.
Q What relation was she to you? A Sister.
Q Is she living or dead? A Dead.
Q Do you know how long she has been dead? A No, I do not. She has
been dead several years--six or seven years.
Q Did she die before or after the opening of the Creek Land Office?
A Before.
Q Do you know how long before? A No, I don't. It wasn't a great
while I don't suppose.
Q You are positive are you that she died before the land office
opened? A Yes, sir.
Q Do you know where she died? A I believe she died in Oklahoma.
Q Her husband's folks lived in Oklahoma and he taken her up there and
she taken sick and died up there.
Q What was the name of her husband? A They all called him Bill
Guinn.
Q Was he sometimes known as William F. Guinn? A I wouldn't be
positive about that but I suppose that would be right.
Q She belonged to the same Creek Town that you do did she? A
Yes, sir.
Q Where is her husband living at the present time? A He is liv-
ing between here and Spokokee.

-----00000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
examine on said date.

Subscribed and sworn to before me this 3 day of December, 1904.

W. A. Skaggs
Notary Public.

CR FN 893

CR FN 893

Post Office: *Opfala, Ind, Br.*
 Residence:

Nation. Roll.

Field No. *3277*
 Card No.

| Dawes Roll No. | NAME. | Relation ship to Person first named | AGE | SEX | BLOOD | TRIBAL ENROLLMENT | | | TRIBAL ENROLLMENT OF PARENTS | | |
|-------------------|--------------------------|---|----------|----------|----------------------------|-------------------|------------------|-------|------------------------------|----------|--------------------------|
| | | | | | | No | District | Year. | Name of Father | District | Name of Mother |
| | <i>Blackhead, Jennie</i> | | <i>8</i> | <i>F</i> | <i>Full 1885 Blackhead</i> | <i>330</i> | <i>Blackhead</i> | | <i>Blackhead, Jennie</i> | | <i>Blackhead, Jennie</i> |
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Not listed before April 1st 1885: do not favor officers.

March 23rd 1881

Creek Nation

Muskogee, Oklahoma, May 22, 1908.

0 9989

Mr. Taylor Bear,

Wetmore, Oklahoma.

Sir:

You are hereby advised that on December 21, 1907, the
Commissioner arbitrarily allotted to your deceased granddaughter,
Lennie Deerehead, whose name appears upon the Creek Indian roll op-
posite No. 9989, as surplus,

The NW 1/4 of NW 1/4 and N 1/2 of NW 1/4 of
Section 21, Township 19 North,
Range 10 West,

for the homestead,

The NW 1/4 of the NW 1/4 of Section 21,
Township 19 North, Range 10 West,

and certificates for the above described allotment selection will
be mailed to the legal representative for the heirs of said child
at the expiration of nine months from the date of the filing thereof.
Respectfully,

Commissioner.

CCP (M).

OT 22 868

Waukegan, Indian Territory, January 10, 1905.

Taylor Bear,

Waukegan, Indian Territory.

Dear Sir:

You are hereby advised that the name of your deceased minor stepdaughter, Jennie Dearhead, is contained in the partial list of citizens by blood of the Creek Nation approved by the Secretary of the Interior May 23, 1905, and that application by the local representatives for the heirs of said child for a selection of land in the Creek Nation may now be made at the office of the Commissioner to the Five Civilized Tribes, in Waukegan, Indian

Territory.

Respectfully,

Commissioner.

74204

REPLY IN REPLY TO THE FOLLOWING:

Rn. 862.

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS:
TAMM BIRBY,
THOMAS B. NEEDLES,
C. R. BRACKENRIDGE,
WM. O. BEALL,
Secretary.

Muskogee, Indian Territory, June 5, 1905.

Taylor Bear,

Eufaula, Indian Territory.

Dear Sir:

You are hereby advised that the name of your grand-daughter, Jennie Deerhead, is contained in the partial list of citizens by blood of the Creek Nation, approved by the Secretary of the Interior May 23, 1905, and that application for a selection of land in the Creek Nation may now be made for said Jennie Deerhead at the office of the Commission in Muskogee, Indian Territory.

Respectfully,

Commissioner in Charge.

OT 42 862

Manakoe, Indian Territory, March 21, 1906.

M. L. Mott,

Attorney for the Creek Nation.

Manakoe, Indian Territory.

Sir:

There is enclosed herewith a copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Jennie Deshens as a citizen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be allowed fifteen days from date hereof within which to file protest against said decision, and if, at the expiration of that time, no such protest has been made, said Jennie Deshens will be regularly listed for enrollment as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

LYE-21-6.

En. 862.

I. D.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

--:0:--

In the matter of the application for the enrollment of
Tennie Deerhead as a citizen by blood of the Creek Nation.

--: D E C I S I O N :--

The Records of the Commission show that Tennie Deerhead was
listed for enrollment as a citizen by blood of the Creek Nation
May 21, 1901, on Creek Indian Card Number 3279.
Further proceedings were had November 23, 1904, and December
3, 1904.
The evidence shows that said Tennie Deerhead is identified
on the 1895 Pay Roll of the Creek Nation, and that she was living
April 1, 1899.
The evidence further shows that said Tennie Deerhead is a
resident of Indian Territory.
It is, therefore, the opinion of the Commission that said
Tennie Deerhead should be enrolled as a citizen by blood of the
Creek Nation in accordance with the provisions of the acts of
Congress June 28, 1898 (30 Stat., 495), and March 1, 1901
(31 Stat., 861), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
MAR 20 1905

I.D.

En. 882.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

--:0:--

In the matter of the application for the enrollment of
Jennie Deershead as a citizen by blood of the Creek Nation.

--: SUPPLEMENTAL STATEMENT:--

The 1890 Authenticated Tribal Roll of the Creek Nation
examined and Jennie Deershead not identified thereon.
The 1895 Pay Roll of said Nation, Cassata Town, examined
and the names Matilda, George and Jennie Deershead appear thereon
at Numbers 328, 329 and 330, respectively. The name "Deershead"
is stricken out with ink and "Deershead" written in its place.
The change was made before the Roll came into the possession of
the Commission.
The name Lady or Sebassate is not identified in Cassata Town
on any of the rolls in the possession of the Commission.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Commissioner.

Muskogee, Indian Territory,
January 27, 1902.

C. 3279---S.

Q Was she ever known as Matilda? A I do not know.
Q How long has she been dead? A She died about two years after the
Japanese War.
Q Has land been selected for Jennie? A I do not know.
Q Have you ever made application to the Commission for this child?
A No, sir.
Q Have your other children been filed? A I think all my children
have been allotted by the Commission, I understand that they have
but I do not think land was ever selected for Jennie.
Q The girl stated that you were her grandfather? A She was mistaken
I am her father.
Q Are you sometimes known as Deerehead? A The only name I have is
Taylor Bear.
Q Have you a grandchild named Jennie? A No, sir.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 3 day of December, 1904.

D. C. Skaggs
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Burlingame, I. T., November 23, 1904.

In the matter of the application for the enrollment of Jennie Deerhead as a citizen by blood of the Creek Nation.

JENNIE DEERHEAD, being duly sworn, testified:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Jennie Deerhead.
Q How old are you? A I do not know my age and the people with whom I live do not know how old I am. (Witness appears to be between thirteen and sixteen years of age)
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Chassahatla.
Q Who was your father? A Deerhead.
Q Who was your mother? A Matilda.
Q Are your parents living? A No, sir, they are both dead.
Q With whom are you now living? A With my grandfather.
Q What is his name? A Taylor Bear.
Q How long have you been living with your grandfather? A I have lived with them all my life. He has raised me as an orphan.
Q Do you know whether or not he has made selection of land for you? A He never has told me about filling an my allotment and I do not think he has.
Q Have you any brothers and sisters? A No, sir, I have no brothers or sisters, either living or dead.
Q Are you known by any other name? A Jennie Deerhead is all the name I have.
Q Where were you born? A I was born in this neighborhood.

Taylor Bear and his wife are absent from home. The girl states that he belongs to the Snake Nation and has never concerned himself about the rights of himself and family and the little girl herself was afraid to testify for fear that her grandfather would punish her and it was not until after considerable persuasion that she was induced to testify.

TAYLOR BEAR, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Taylor Bear.
Q How old are you? A About forty-three.
Q What is your post office address? A Burlingame.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Muskogee, Oklahoma.
Q Do you know Jennie Deerhead? A Yes, sir.
Q Is she living? A Yes, sir.
Q How old is she? A I do not know her exact age but she was born during the late Indian War.
Q To what town does she belong? A Chassahatla.
Q Who was her father? A I am her father.
Q Are you her own father or her grandfather? A I am her father.
Q Who was her mother? A Lady.
Q Was Lady ever known by any other name? A I think she was known in her town as Sebawata.

CR EN 895

CR EN 895

Or Am 861

Muskogee, Indian Territory, September 30, 1905.

Andy Jefferson,

Lee, Indian Territory.

Dear Sir:

You are hereby advised that the name of your deceased minor child, Roy Jefferson, is contained in the partial list of Creek Freedmen approved by the Secretary of the Interior September 21, 1905, and that application by the legal representative for the heirs of said child for a selection of land in the Creek Nation may now be made at the Office of the Commissioner to the Five Civilized Tribes, in Muskogee, Indian Territory.

Respectfully,

Commissioner.

or an 861

Indian Territory, June 13, 1901.

1. 1. 1. 1. 1.

attorney for the Creek Nation,
Indian Territory.

air:

There is herewith enclosed one copy of the decision of the
Commission to the Five Civilized Tribes in the matter of the ap-
plication for the enrollment of Mr. Roy Jefferson (deceased) as a
Creek Freedman.

You are hereby notified that the Creek Nation will be al-
lowed fifteen days from date hereof within which to file protest
against said decision, and if, at the expiration of that time, no
protest has been filed, said Mr. Roy Jefferson (deceased) will be
regularly listed for enrollment as a Creek Freedman.
Respectfully,

Chairman.

1901-12-11

En. 861.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
Le Roy Jefferson, deceased, as a Creek Freedman.

D E C I S I O N.

The record in this case shows that on July 10, 1901, the affidavits of Andy Jefferson relative to the birth and death of his minor child, Le Roy Jefferson, were filed with the Commission at Muskogee, Indian Territory, which said affidavits are considered by the Commission as an application for the enrollment of said Le Roy Jefferson, as a Creek Freedman. Further proceedings were had November 30, 1904.

The evidence shows that said Le Roy Jefferson, deceased, was born March 10, 1900, and that he died in the month of December, 1900. The evidence further shows that said Le Roy Jefferson, deceased, was the minor child of Andy and Sallie Jefferson, and that the names of said Andy and Sallie Jefferson are contained in the partial list of Creek Freedmen approved by the Secretary of the Interior March 13, 1902, Roll Nos. 1055 and 1056, respectively. It is, therefore, the opinion of the Commission that said Le Roy Jefferson, deceased, should be enrolled as a Creek Freedman, in accordance with the provisions of the act of Congress March 1, 1901 (31 Stat., 861), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

JUN 14 1905

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of *Le Roy Jeffers*
a citizen of the *Indian* Nation, who formerly resided at or near
Ind. Ter., and died on the 13 day of *Dec*
1901

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of *Northern*
I, *Le Roy Jeffers*,
years of age and a citizen, by *adoption* of the *Creek* Nation;
that my post office address is *See*
Ind. Ter.; that I am
of *See*
who was a citizen, by *adoption* of the *Creek* Nation;
and that said *Le Roy Jeffers*
died on the 13 day of *Dec*
1901

Witnesses to Mark:
(Must be Two)
Witnesses:
Subscribed and sworn to before me this 10 day of *July* 1901
John G. Fisher
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of *Northern*
I, *W. B. Reed*,
years of age, and a citizen, by *adoption* of the *Creek* Nation;
that my post office address is *See*
Ind. Ter.;
that I was personally acquainted with *Le Roy Jeffers*
who was a citizen, by *adoption* of the *Creek* Nation;
and that said *Le Roy Jeffers*
died on the 13 day of *Dec*
1901

Witnesses to Mark:
(Must be Two)
Witnesses:
Subscribed and sworn to before me this 10 day of *July* 1901
John G. Fisher
Notary Public.

1-2

28.

IN RE
THE DEATH OF

Le Roy Jeffers
Register of the

Notary

Approved

1

Commissioner

born March 10-1900
died 13-1900

RECORDED TO THE CIVILIZED TRIBES.
THE INTL. BUREAU

FILED

July 10/1901

ACTING CHAIRMAN

10/01

Department of the Interior

COMMISSION TO THE FIVE CIVILIZED TRIBES

IN RE Application for Enrollment as a citizen of the
Name of Mother: *John J. Jeffers*
Name of Father: *John J. Jeffers*
born on the *10th* day of *July* 18*00*
Postoffice: *Jeffers*
Nation: *Jeffers*

AFFIDAVIT OF MOTHER

UNITED STATES OF AMERICA
INDIAN TERRITORY
District: *Jeffers*

I, *John J. Jeffers*, on oath state that I am
years of age and a citizen of the *Jeffers* Nation;
that I am the lawful wife of *John J. Jeffers*, who is a citizen of the *Jeffers* Nation;
that a *child* was born to me on the *10th* day of *July* 18*00*; that said child has been
named *John J. Jeffers*, and is now living.

WITNESSES TO MARK:

(Must be Two)

Subscribed and sworn to before me this *10th* day of *July* 18*00*
John J. Jeffers
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE

UNITED STATES OF AMERICA
INDIAN TERRITORY
District: *Jeffers*

I, *John J. Jeffers*, on oath state that I
attended on Mrs. *John J. Jeffers*, on the *10th* day of *July* 18*00*,
on the *10th* day of *July* 18*00*, that there was born to her on
said date a *child*; that said child is *now living* and is said to have been
named *John J. Jeffers*.

WITNESSES TO MARK:

(Must be Two)

Subscribed and sworn to before me this *10th* day of *July* 18*00*
John J. Jeffers
NOTARY PUBLIC

19

IN RE

Application for Enrollment of

INFANT CHILD

[Signature]

as a citizen of the

Nation.

1901

Approved,

Commissioner.

[Faint handwritten notes]

For Card No. 240

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

FILED

[Signature]

ACTING CHAIRMAN.

Recd 7/19/01

Being first duly sworn testified as follows:

Q What is your name? A Lena Peters.
Q How old are you? A I'm 38 years old.
Q What is your post office address? A Lee, I. T.
Q Do you know Andy and Salie Jefferson? A Yes sir.
Q How far do you live from them? A About two miles I guess.
Q Did you know a child of theirs by the name of Lee Roy?
A Yes sir I knowed him.
Q How far did you live from them when this child was born?
A Two miles.
Q Do you know when the child was born? A I don't know
exactly, but I think it was in the spring he was born.
Q Is the child dead? A Yes sir.
Q When did he die? A In the winter.
Q How long has that child been dead? A I don't know exactly;
it has been a good while since he has been dead.
Q About how old was the child when it died? A I guess it
was about nine months old when it died.
Q Did you see the child frequently during its lifetime? A Yes
sir I been to see her often and she come to see me.
Q Were you at the house frequently before the child died?
A Yes sir I been to the house often and seen the child there
before it died.
Q How old did the child look to be the last time you saw it?
A I don't know I guess it was about 8 months old though, when
I see it last.

Affidavits relative to the birth and death of Lee
Roy Jefferson filed with the Commission July 10, 1901 are
made a part of the record herein.

Lettie V. Vaughn stated upon oath that as stenographer
to the Commission to the Five Civilized Tribes she correctly
recorded the testimony in the above entitled cause and that the
foregoing is an accurate transcript of her stenographic notes
thereof.

Mattie J. Vaughn

Subscribed and sworn to before me this 1st day of
December 1904.

Charles B. Sawyer
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
TULSA, INDIAN TERRITORY, NOVEMBER 30, 1904.

In the matter of the application for the enrollment
of Lee Roy Jefferson, deceased, as a citizen of the Creek
Nation.

MEMORANDUM CASE.

Salie Jefferson, being first duly sworn testified
as follows:-

EXAMINATION BY THE COMMISSION.

Q What is your name? A Salie Jefferson.
Q How old are you? A 31 I guess.
Q What is your post office address? A Lee, I. T.
Q Are you the mother of Lee Roy Jefferson? A Yes sir.
Q What is the name of his father? A Andy Jefferson.

The records of the Commission show that the names
of Andy Jefferson and Salie Jefferson are identified
on the partial list of Creek freedmen approved by
the Secretary of the Interior, March 13, 1902 as
numbers 1052 and 1056 respectively.

Q Is Lee Roy Jefferson living or dead? A He's dead.
Q How old was he when he died? A A nine months old.
Q When was he born? A March 10, 1900.
Q When did he die? A December 13, 1900.
Q Who was present when the child was born? A My mother.
Q What was her name? A Jennie McGilbray.
Q What is her post office address? A Lee, I. T.
Q What is the reason you haven't attended to this matter before
now? A I left it to his father to see after.
Q Where is he? A He is at Lee I. T.
Q Do you know why he didn't attend to it? A No I don't.
Q Just neglected it I guess.
Q Have you a child by the name of Brice? A Yes sir.
Q How old is that child? A Six years old.
Q Is she living? A Yes it is a boy.
Q When was he born? A He was born in February; I don't
remember exactly the year; I think it was in 1898 if I am
not mistaken.
Q What time of the year was it when Lee Roy was born? A It
was in the Spring of the year.
Q What time of the year was it when he died? A In the winter
time.

CR EN 891

CR EN 891

or 100 000

Waukegan, Indian Territory, August 9, 1905.

Waukegan, Indian Territory.

Dear Madam:

You are hereby advised that the name of your deceased minor child, Harriet Walker, is contained in the partial list of Creek Freedmen approved by the Secretary of the Interior July 31, 1905, and that application for a selection of land in the Creek Nation for the heirs of said child may now be made at the office of the Commissioner to the Five Civilized Tribes, in Waukegan, Indian Territory.

An entire allotment of 160 acres may be selected at the time of the original application.

Respectfully,

Acting Commissioner.

Cr. No. 880.

Muskogee, Indian Territory, April 21, 1905.

M. L. Kott,
Attorney for Creek Nation,
Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Harriet Walker, deceased, as a Creek Freedman.

You are hereby notified that the Creek Nation will be allowed fifteen days from the date hereof within which to protest against said decision, and if, at the expiration of that time, no such protest has been made, said Harriet Walker, deceased, will be regularly listed for enrollment as a Creek Freedman.

Respectfully,

Chairman.

IM-4-21-05.

I.D.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

No. 860.

--:0:--

In the matter of the application for the enrollment of Harriet Walker, deceased, as a Creek Freedman.

--: D E C I S I O N :--

The record in this case shows that on September 1, 1904, the affidavit of Susie Walker, relative to the birth of her minor child, Harriet Walker, was filed with the Commission at Muskogee, Indian Territory, which said affidavit is considered by the Commission as an application for the enrollment of said Harriet Walker, deceased, as a Creek Freedman.

Further proceedings were had November 16, and November 18, 1904. The evidence shows that said Harriet Walker, deceased, was the minor child of Susie Walker, and that the name of said Susie Walker is contained in the partial list of Creek Freedmen, approved by the Secretary of the Interior March 13, 1902.

The evidence further shows that said Harriet Walker, deceased, was born during the month of June, 1900, and died subsequent to July 1, 1900.

It is, therefore, the opinion of the Commission that said Harriet Walker, deceased, should be enrolled as a Creek Freedman in accordance with the provisions of the act of Congress, March 1, 1901 (31 Stat., 861), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory.

APR 20 1905

Q What is your post office address? A Tallahassee.
Q Are you a citizen of the Greek Nation? A Yes sir.
Q Do you know Gustie Walker? A Yes sir.
Q How long have you known her? A All her life.
Q How far do you live from her? A About a mile.
Q Did you know a child of hers named Harriett? A Yes sir.
Q How far were you living from her when that child was born? A Not quite a mile.
Q That child is dead, is it? A Yes sir.
Q How long has it been dead? A Four years this June.
Q Been dead that long? A No sir; this Fall.
Q Now how long has that child been dead? A This coming Fall it will be four years.
Q You mean next Fall? A This Fall come.
Q Do you mean this present Fall or next Fall? A This present Fall coming; it is Fall now; I mean this Fall.
Q In what month did the child die? A I don't know exactly whether it was October or in September; it was in the Fall.
Q Do I understand you to mean that the child died four years last September or October or next October or September? A Yes sir; this.
Q Has the child been dead less than four years or more than four? A All I can tell you; its four years this Fall.
Q How old was the child when it died? A It was born in June and died in the Fall.
Q About how old was the child? A I only would be one, August would be two, and September would be three, wouldn't it? I can't tell you whether it was September or October; I know it was the same Fall it died.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Hains

Subscribed and sworn to before me this 19 day of November, 1904.

[Signature]

Notary Public.

By Mr. Walrond:

Q Is there a person in the town of your town now? A Yes sir.
Q Were you ever married to John Glover the father of the child? A No sir.
Q That's the reason its name is Harriet Walker instead of Harriet Glover? A Yes sir.

Grayson Jones being duly sworn testified as follows:

By the Commission:

Q What is your name? A Grayson Jones.
Q How old are you? A Fifty.
Q What is your post office address? A Tallahassee.
Q Are you a citizen of the Creek Nation? A No sir.
Q Is your wife a citizen? A No sir.
Q Do you know Harriet Walker? A Yes sir.
Q How long have you known her? A Ten years.
Q How far do you live from her? A Now about three miles.
Q Did you know a child of theirs named Harriet? A Yes sir.
Q Do you know when that child was born? A I don't know exactly the day of the month. I know she was born in June in 1900.
Q How far were you living from her when that child was born? A Not quite a quarter.
Q What is the name of your youngest child? A Eddie.
Q When was he born? A He was born in '89.
Q '89? A 1889.
Q What month? A The 24th of July.
Q Do you know when Harriet Walker died? A She died in the Fall some time; I don't know whether it was September or October now.
Q Were you present when the child died? A No sir.
Q Were you at the burial? A No sir; they just got me to get the lumber for her from the Turner Hardware Company.
Q Did you pay for that? A Yes sir.
Q How long has that child been dead? A Four years past.
Q How old was the child when it died? A I don't know; 4 or 5 months old.
Q Or 6 months or something like that.

By Mr. Walrond:

Q Why do you say that it was 1900; what's your reason? A Well, I worked on old lady Gayles place that year.
Q And that was how many years ago? A That was four years ago last April.
Q And you were working there through that season? A Yes sir.

By the Commission:

Q Did you live on the place all that year? A No; I lived on A. Pease place and I worked 10 acres in her field that adjoining.
Q Where did you live the next year? A The same place.
Q Did you rent the same land next year from her? A No sir; another one rented it.
Q Where did you live the next year? A I lived right there on the same place for 7 years.

Ella McIntosh being duly sworn, testified as follows:

By the Commission:

Q What is your name? A Ella McIntosh.
Q How old are you? A About 40 I reckon, or 43.

Q Who was on the place after that? A Richard Holmes.
Q Who is on the place now? A Ketor Bennett.
Q That's the way you have of reasoning that? A Yes sir.
Q What are your reasons for believing that it died in September?
A Cause they was fixing to have camp meeting in that month it died.
Q Where was the camp meeting? A Down at Marshall's; it was at Marshall's.
Q What is your sister's condition mentally? Any mind? A It seems to be the same as anybody else sometime to me, and sometimes a is awful easy off the head.
Q Is her memory always clear? A She is awful forgetful at times. She never keeps anything in her memory.

State Walker being sworn testified as follows:

By the Commission:

Q What is your name? A State Walker.
Q How old is she? A Twenty four. About.
Q What is your post office address? A Tallahassee.
Q Are you the mother of Harriet Walker? A Yes sir.
Q Is Harriet living or dead? A She is dead.
Q How long has she been dead? A About 4 years.
Q In what month did she die? A In the fall.
Q Do you know the month? A No sir.
Q In what month was she born? A In June.
Q How long has it been since she was born? A It's been four years.
Q Four years last June or four years next June? A It was four years old when she died.
Q How old was the child when it died? A About 3 months and 2 weeks.

By Mr. Walrond:

Q Who was the father of this child? A John Glover.
Q What are your reasons for saying that it was born in June? A Cause we was picking June berries.
Q How long before the birth of the child were you picking dew berries?
A The next morning.
Q The morning before the birth? A Yes sir.
Q What are your reasons for saying that it died three months and two weeks before-- after it was born; how do you calculate that? A Just keeping up with the age.
Q What are your reasons for saying that the child was born and died 4 years ago? In 1900, say for instance? How do you reckon that? A I don't know.
Q Is there any other reason than the ones you gave that if the child was now living, it would be 4 years old? A It would have been going on about the time of the filing.
Q Was it born after they started filing? A Yes sir.

By the Commission:

Q What is the reason you haven't tried to have this child enrolled before now? A I had his name put on the roll time of the filing and they put in another name and I didn't know it till after she was filed.
Q Put in another name? A Yes sir; Mose Timmerman put in the name Harriet Glover; he never saw me to give in the right name.

Q That's the way you have of remembering it? A Yes sir.
Q Can you read and write? A No sir.
Q What reason have you for saying it was in June? A We was gathering
new berries.
Q Are there many new berries on the place? A Yes sir.
Q And has your daughter, Susie any mind? Is she bright? A She hasn't
got good mind.
Q Sometimes she hasn't any mind? A Yes sir, and sometimes she has a
good mind.
Q Has Ketch Barnett lived on your place all the time? A Yes sir.

Phoebe Glover being sworn, testified as follows:

By the Commission:

Q What is your name? A Phoebe Glover.
Q How old are you? A Going on 39.
Q What is your post office address? A Tallahassee.
Q Are you a citizen of the Creek Nation? A Yes sir.
Q Do you know Susie Walker? A Yes sir.
Q Any kin to you? A Yes sir. My sister.
Q Did you know a child of hers named Harriet? A Yes sir.
Q Is that child living or dead? A She's dead.
Q Have you any children that was born about the time that child was?
Anywhere near the time Harriet was born? A No sir; I haven't got but
one.
Q How old was Harriet when she died? A About 2 or 3 months old I guess.
Q It was born in June.
Q I am not talking about that, am I? Asking you when it was born; only
how old it was when it died? A About 3 months I guess.
Q In what month did the child die? A Died in September.
Q Know the day of the month? A It was about the first part; the
first of the week; about the 4th of September.
Q In what month was he born? A In June.
Q What day of the month? A Fourth day of June.
Q What day of the week was that? A It was on a Wednesday I think; I
think it was Wednesday morning.
Q You say the child was born on the 4th day of June? A Yes sir; I
think it was the middle of the week; I don't know if it was on the 4th
day.
Q How long has that child been dead? A It has been 4 years and last
June.
Q How long has it been since the child was born? A Four years ago
last June since it was born.
Q Did the child die the same month it was born? A No sir, the same
year.
Q You stated the child has been dead 4 years ago last June. A No sir.
Q How long has it been since the child died? A Four years last Septem-
ber.

By Mr. Walford:

Q What reason have you for saying it was 4 years ago? How do you
reckon that? Four years ago that it was born and died? A Cause they
were picking June berries.
Q What reason have you for the four years? How do you understand it?
to be 4 years ago? A I know it by mamma having four renters out there
Q Can you name the four renters that your mother had there--beginning
with the one that was on the place when the child was born. A -----
Q Who was on the place the year after the child was born? A Grayson
Jones.
Q Who was Grayson Jones? A Ed Walker.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
MUSKOGEE, I.T. NOV. 18, 1904.

Supplemental testimony

In the matter of the application for the enrollment of Harriet Walker, deceased, as a Creek Freedman.

F.T. Walrond, attorney for applicant.
(The Commission is informed that Mr. Mott, is out of the city.)

Sarah Walker being duly sworn, testified as follows:

By the Commission:

Q What is your name? A Sarah Walker.
Q How old are you? A About 40 years--stopping on the way.
(Witness appears to be 50 or 60 years old.)
Q What is your post office address? A Tallahassee.
Q Do you know Gustie Walker? A Yes sir.
Q Are you the mother of Gustie Walker? A Yes sir.
Q Did you know a child of hers named Harriet? A Yes sir.
Q Is that child living? A It's dead.
Q How old was the child when it died? A I don't remember now how old it was.
Q Well, as near as you can come at it? A I think it died the same year it was born.
Q Well, how many months old was it when it died? A Nearly 4 or 5 months old.
Q In what month did the child die? A I don't remember what month it was.
Q In what month was the child born? A In June.
Q Why is it you remember the month it was born and you don't remember the month it died? A In June it was.
Q I know you stated it was in June; now why is it you can't remember when it was born and you don't remember when it died? A I remember the month it was born but I don't just remember the month it died.
Q Are you a citizen of the Creek Nation? A Yes sir.
Q How long has it been since that child died? A About 4 years I think.
Q About 4 years since it died? A Yes sir.
Q What time of the year did the child die? A Sometime in the fall; I can't remember what month.
Q You say it died in the fall? A It died the same year.
Q Well, was it Spring, Summer, Fall or winter? A Died in the winter; it wasn't very cold.
Q What time of the year was it when it was born? A It was in June.
Q Have you a girl named Mary? A Yes sir.
Q How old is Mary? A 19 I think.
Q In what month was she born? A She was born in September.
Q In what year was this child Harriet born? A It was four years ago since that child was born.
Q Was it four years last June or next June? A Last June.

By Mr. Walrond:

Q Can you explain why it is four years last June; why it is you remember? A Cause I have had four tenters.
Q Can you remember who was living on your place the year the child was born? Who was that? A Sam Westford.
Q Who lived there the next year? A Grayson Jones.
Q Who lived there the year after Grayson Jones? A Mr. Richard Holmes.
Q Then who lived there the next year? A My son, Dave Wolford.
Q Is he living on the place now? A No; Ketch Barnett is.

Examination by Mr. Walrond:

Q You spoke of locating the date of the birth in June, about dew berries explain that? A Well, he asked me what time of the year it was born and I told him in June and we was picking dew berries at that time; that's all the way I can tell you about the dates.
Q Just before the birth of the child she was picking dew berries?
A Yes sir.
Q And the death took place the same year of the birth? A Yes sir.

By the Commission:

Upon request of the attorney for the applicant, he allowed 60 days within which to introduce additional evidence in this case.
An affidavit heretofore filed is made part of the record in this case.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Hains

Subscribed and sworn to before me this 14th day of November, 1904.

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE CIVIL RIGHTS TRIBUNAL
MUSKOGEE, I.T. NOV. 16, 1904.

In the matter of the application for the enrollment of Harriet Walker, deceased, as a Creek Freedman.

E.T. Walcott, attorney for Creek Nation applicant.
(The Commission was informed that the Attorney for Creek Nation was out of town.)

Alice Anderson being duly sworn, testified as follows:

Examination by the Commission:

Q What is your name? A Alice Anderson.
Q How old are you? A Fifty six.
Q What is your post office address? A Muskogee.
Q Do you know Susie Walker? A Yes sir.
Q What is the name of her mother? A Sarah Walker.
Q Do you know a child of Susie's named Harriet? A Yes sir.
Q That child is dead, is it? A Yes sir.
Q Were you present when the child was born? A Yes sir.
Q How old was the child when it died? A I can't tell you exactly.
Q Well, about as near as you can remember. A I can't tell you that.
Q Cause I never kept no account; how many months old it was when it died.
Q Well, was it a month or a year or three days? A Well, it was over three days.
Q Well, as near as you can tell. A I can't tell you.
Q To you know when that child was born? A In June about 12 o'clock in the day.
Q What year? A I don't know.
Q How long has it been since that child was born? A About 4 years last June.
Q Do you know the day of the month it was born? A No sir.
Q Do you know the day of the week? A No sir, never kept no remembrance.
Q Cause I can't read books.
Q How far did you live from Susie Walker when that child was born?
A About 3/4 mile.
Q Did you live the same distance when the child died? A Yes sir.
Q Who else was present when the child was born? A Just me and her mother and her.
Q What time of the year was it when the child died? A In June; picking those June berries.
Q When did it die? A No; I don't remember; I wasn't there when it died.
Q Well, do you know whether it was Fall, Winter, Spring or summer? A It was in the Fall, but what month I don't know; you people might think it was ignorance of me but I can't read and don't keep up with the days.
Q Was it early or late in the Fall? A It was early; it wasn't cold.
Q There was a frost like there is now.
Q Do you know who is said to be the father of the child? A John Love-
lace is said to be.
Q What is his post office address? A It used to be Muskogee; he might have changed it to Willis.
Q What is Susie's post office address? A Muskogee.

The records of the Commission show that Susie Walker, the mother of the child, Harriet, is listed for enrollment on Creek Freedman card No. 340 and that her name is contained in the partial list of Creek Freedman approved by the Secretary of the Interior March 12, 1903.

CR EN 890

CR EN 890

EMPTY

Ex. 658

Muskogee, Indian Territory, June 3, 1906.

Phyllis Foster,

Cedar, Indian Territory.

Dear Sir:

You are hereby advised that your name is contained in the
partial list of Creek Freedmen, approved by the Secretary of the
Interior May 23, 1906, and that application for a section of land
in the Creek Nation may now be made at the office of the Commission
in Muskogee, Indian Territory.

Respectfully,

Commissioner in Charge.

CR 44 858

Lawrence, Indian Territory, March 21, 1906.

M. J. Mott,

Attorney for the Creek Nation,
Lawrence, Indian Territory.

Sir:

There is enclosed herewith a copy of the decision of the
Commission to the Five Civilized Tribes in the matter of the ap-
plication for the enrollment of Phyllis Foster as a Creek Freed-

MAN.

You are hereby notified that the Creek Nation will be al-
lowed fifteen days from date hereof within which to file protest
against said decision, and if, at the expiration of that time, no
such protest has been made, said Phyllis Foster will be regularly
listed for enrollment as a Creek Freedman.

Respectfully,

Chairman.

LYN-21-14.

CHEROKEE FREEDMAN
No. 1078

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS:
TAMM KIRBY,
THOMAS A. WHEELER,
C. E. BRIDGEMAN,
WM. O. NEALL,
Secretary.

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

Muskogee, Indian Territory, December 2, 1904.

Commission to the Five Civilized Tribes,
Creek Enrollment Division.

Gentlemen:

There is herewith inclosed a copy of supplemental
testimony taken at Muskogee, Indian Territory, on November 21,
1904, in the matter of the application for the enrollment of
Phillis Foster as a Cherokee freedman.

Respectfully,

Chairman.

Incl. 2-31.

1009

REFER IN REPLY TO THE FOLLOWING
Cherokee I #1078
Creek I #1468.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

COMMISSIONERS
TAMM BIXBY,
THOMAS B. HENDELLER
C. R. BRIDGEMAN
WM. O. BRALL
SECRETARY

Muskogee, Indian Territory, April 21, 1904.

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

Gentlemen:
Creek Enrollment Division.
Commission to the Five Civilized Tribes,
In reply to your request of April 15, for information
as to the status of the citizenship of Phillis Foster as a Cherokee
freedman, you are advised that this person's name appears upon
Freedmen straight card No. 1078, but that she has not yet been
scheduled upon the final roll of Cherokee Freedmen.

Respectfully,



Chairman.

XX

P. 1466.

Muskogee, Indian Territory, April 18, 1904.

Commission to the Five Civilized Tribes,

Cherokee Enrollment Division.

Gentlemen:

You are requested to advise the Creek Enrollment Division whether the name of William Foster is contained in the list of Cherokee Freedmen approved by the Secretary of the Interior.

Reference is made to Cherokee Freedman card No. 1078.

Respectfully,

Commissioner in Charge.

RP

Encl. P-34.

Clerk in Charge.
P. G. Reuter

Respectfully,

for enrollment as a Cherokee Freedman, Cherokee F-1078.
by the Commission in the matter of the application of Phyllis Foster,
Greek F-1466, there is enclosed herewith a copy of testimony taken
As requested in the Commission's letter of February 16,

Gentlemen:

Muskogee, Indian Territory.

(Greek Enrollment Division),

Commission to the Five Civilized Tribes,

Vinita, Indian Territory, February 19, 1903.

Cherokee F-1078.

Copy.

8.8.6

Greek B 1466.

Waukegan, Indian Territory, February 16, 1903.

P. G. Foster,

Clerk in charge Cherokee Land Office,

Vinita, Indian Territory.

Dear Sir:

Referring to Cherokee B 1078, you are requested to furnish

the Greek Enrollment Division with a copy of the testimony in the
matter of the application for the enrollment of Phillis Foster, as
a Cherokee freedman, and you are also requested to advise as to the
present status of her said application.

Respectfully,

Acting Chairman.

DOWN

Great Tr. Camp
Field No. D-1486

Washington, Indian Territory, November 26, 1902.

Cherokee Enrollment Division,
Commission to the Five Civilized Tribes.

Gentlemen:

The Creek Enrollment Division is in receipt of your letter of November 21, 1902, relating to Cherokee B-1078 asking to be advised as to the status, if any, of the enrollment of Phillis Foster, as a Creek Freedman.

Replying thereto, you are advised that Phillis Foster, age 30 years, a daughter of Randall and Lavina Foster, is listed as a doubtful citizen of the Creek Nation, on Creek Freedman Card, Field No. 1486, but that no decision has yet been rendered as to her rights to enrollment in said nation.

You are further advised that the name of Phillis Foster appears on the 1890 and 1898 tribal rolls of the Creek Nation. There is enclosed herewith a copy of the testimony in the matter of the application for the enrollment of said Phillis Foster as a citizen of the Creek Nation.

Respectfully,

Acting Chairman.

CC-74

100

CHEROKEE T-1078
REFER IN REPLY TO THE FOLLOWING

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS:
HENRY L. DAWES,
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
ALLISON J. AYLESWORTH,
SECRETARY.

CHEROKEE, Indian Territory, November 21, 1902.
COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

Commission to the Five Civilized Tribes,
Creek Enrollment Division,

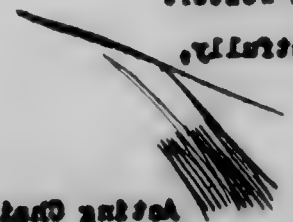
Gentlemen:-

On June 22, 1901, one Philia Foster, who gave her age as 21 and her postoffice as Langston, applied to this Commission for enrollment as a Cherokee Freedman.

Said Philia Foster is identified upon the 1880 authenticated roll of citizens of the Cherokee Nation and upon the 1896 census roll of said Nation. She has been regularly listed for enrollment upon Cherokee Freedman card 1078.

It appears that the name of this applicant is also found upon some of the Creek tribal rolls and you are requested to advise the Cherokee Enrollment Division of this Commission as to the status, if any, as a Creek Freedman of Philia Foster.

Respectfully,



Acting Chairman.

MAR 15 1905

MUSKOGEE, INDIAN TERRITORY

COMMISSIONER

COMMISSIONER

CHATHAM

COMMISSION TO THE FIVE CIVILIZED TRIBES

495) and March 1, 1901 (31 Stats., 861), and it is so ordered. With the provisions of the acts of Congress, June 28, 1898 (30 Stats., 1898) and March 1, 1901 (31 Stats., 861), and it is so ordered. Phyllis Foster should be enrolled as a Creek Freedman in accordance with the provisions of the acts of Congress, June 28, 1898 (30 Stats., 1898) and March 1, 1901 (31 Stats., 861), and it is so ordered. It is, therefore, the opinion of the Commission that said Territory all her life.

titled on the 1890 Authenticated Tribal Roll and the 1895 Pay Roll of the Creek Nation, and that she has been a resident of Indian Territory all her life. The evidence further shows that said Phyllis Foster is identified on the roll of Creek Freedmen made by J. W. Dunn prior to March 14, 1897. Louvina Foster and that said Louvina Foster is identified on the at the date of the application herein, that she is the daughter of The evidence shows that said Phyllis Foster was 20 years old said Phyllis Foster elected to be enrolled as a Creek Freedman. is pending before the Commission, and that on November 21, 1904, applicant herein appeared before the Commission and made application for enrollment as a Cherokee Freedman, which said application- It further appears from the record that on June 22, 1904, the further proceedings were had December 6, 1904. Foster appeared before the Commission at Muskogee, Indian Territory, and made application for enrollment as a Creek Freedman. The record in this case shows that on June 29, 1900, Phyllis

DECISION.

Foster as a Creek Freedman. In the matter of the application for the enrollment of Phyllis

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR

En. 858

Q. L.

6. 11. 1888

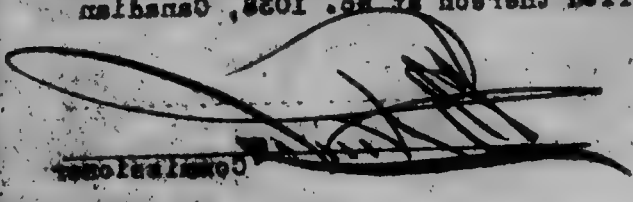
No. 828

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Phyllis
Foster as a Creek Freedman.

SUPPLEMENTAL STATEMENT

The Roll of Creek Freedmen made by J. W. Dunn prior to March
14, 1887, examined and Louisa Foster, the mother of the applicant,
identified thereon at No. 1481, as Vina Kernal.
The 1890 Authenticated Tribal Roll of the Creek Nation examined
and the name of Phyllis Foster found and identified thereon at
page 69, Canadian Town.
The 1898 Pay Roll of the Creek Nation examined and the name of
Phyllis Foster found and identified thereon at No. 1038, Canadian
Town.


Commissioner

Washington, Indian Territory.

December 8, 1904.

Cherokee Freedman 1078.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskegee, Indian Territory, November 21, 1904

IN THE MATTER OF THE APPLICATION OF Phillis Foster as a
Cherokee Freedman.

APPEARANCES:

Plaintiff appears in person.
Cherokee Nation by I. B. Bell.
Phillis Foster being duly sworn testifies as follows:

BY THE COMMISSION:

Q What is your name? A Phillis Foster.
Q How old are you? A Twenty-four.
Q What is your present address? A Cedar, Indian Territory.
Q What are your parents names? A My mother's name is Luanna, my father's name is Randle Foster.
Q You are the identical Phillis Foster who appeared before the Commission to the Five Civilized Tribes at Nowata, Indian Territory on June 22, 1901, and made application for enrollment as a Cherokee Freedman? A Yes sir.
Q You are the identical Phillis Foster who appeared before this Commission at Muskegee, Indian Territory on June 29, 1900, and made application for enrollment as a Creek Freedman? A Yes sir.
Q Have you drawn any money from the Creek Nation? A Not as I know of.
Q Have you been recognized as a Creek Freedman? A Yes sir.
Q Are you on any of the Creek tribal rolls? A Why they enrolled me when I was trying to file. I mean it is on there yet.
Q Are your parents living? A My mother is.
Q In what nation does she claim the right to enrollment? A In the Creek Nation.
Q Is her name on the Dunn Creek roll? A Yes.
Q Has she been enrolled as a citizen of the Creek Nation? A She has done filed.
Q In case it is found that you are entitled to enrollment in both the Creek and Cherokee Nations, in which nation do you elect to be enrolled? A In the Creek Nation.
Q Are you making application or have you made application for the enrollment of anyone but yourself? A None but myself.
Q In case the Commission finds that you are entitled to enrollment as a Creek Freedman do you relinquish any and all claims that you may have to enrollment in the Cherokee Nation and to receive an allotment of lands and distribution of money in the Cherokee Nation? A Yes.

-----000-----

Opal Griggs being first duly sworn on oath, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above and foregoing proceedings had on November 21, 1904, and that the same is a true and correct transcript of her stenographic notes in said case on said date.

Opal Griggs

Subscribed and sworn to before me this 21 day of November, 1904.
Wm. H. Bell

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, Indian Territory, November 21, 1904

IN THE MATTER OF THE APPLICATION OF Phillis Foster as a Cherokee

Freedman.
APPEARANCES:

Plaintiff appears in person.
Cherokee Nation by L. B. Bell.
Phillis Foster being duly sworn testified as follows:

BY THE COMMISSION:

Q What is your name? A Phillis Foster.
Q How old are you? A Twenty-four.
Q What is your post-office address? A Cedar, Indian Territory.
Q What are your parents names? A My mother's name is Luvinia, my father's name is Randle Foster.
Q You are the identical Phillis Foster who appeared before the Commission on to the Five Civilized Tribes at Nowata, Indian Territory on June 22, 1901, and made application for enrollment as a Cherokee Freedman? A Yes.
Q You are the identical Phillis Foster who appeared before this Commission at Muskogee, Indian Territory on June 29, 1900, and made application for enrollment as a Creek Freedman? A Yes sir.
Q Have you drawn any money from the Creek Nation? A Not as I know of.
Q Have you been recognized as a Creek Freedman? A Yes sir.
Q Are you on any of the Creek tribal rolls? A Why they enrolled me when I was trying to file, I guess it is on there yet.
Q Are your parents living? A My mother is.
Q In what nation does she claim the right to enrollment? A In the Creek Nation.
Q Is her name on the Dunn Roll? A Yes.
Q Has she been enrolled as a citizen of the Creek Nation? A She has done filed.
Q In case that it is found that you are entitled to enrollment in both the Creek and Cherokee Nations, in which nation do you elect to be enrolled? A In the Creek Nation.
Q Are you making application or have you made application for the enrollment of anyone but yourself? A None but myself.
Q In case that the Commission finds that you are entitled to enrollment as a Creek Freedman do you relinquish any and all claims that you may have to enrollment in the Cherokee Nation and to receive an allotment of lands and distribution of money in the Cherokee Nation? A Yes.

Opal Griggs being first duly sworn on oath, states that as stenographer to the Commission to the Five Civilized Tribes, she reported the above and foregoing proceedings had on November 20, 1904, and that the same is a true and correct transcript of her stenographic notes in said case on said date.

(Signed) Opal Griggs.

(Seal)

Subscribed and sworn to before me this 21 day of November, 1904.

(Signed) L. B. Campbell,
Notary Public.

Henry G. Haine being sworn on his oath states that the above is a true copy of the proceedings on said date, as appears from the record.

Subscribed and sworn to before me this 25th day of December, 1904.

Notary Public.

Department of the Interior,
Commission to the Five Civilized Tribes,
Nowata, I.T., June 22, 1901.

In the matter of the application of Phyllis Foster for enrollment
as a Cherokee Freedman.
Phyllis Foster being duly sworn and examined by Commissioner
Needles, testified as follows:

Q What is your name? A Phyllis Foster.
Q How old are you? A 21.
Q What is your post office address? A Tanapah.
Q What district do you live in? A Coowasecookee.
Q You apply to be enrolled as a Cherokee Freedman? A Yes, sir.
Q You want to enroll anybody but yourself? A Just myself.
Q Are you married? A No, sir.
Q What is your father's name? A Randall Foster.
Q What is your mother's name? A Luina Foster.
Q Your name on the roll of 1880? A I guess so.
Q The 1880 authenticated roll of Cherokee Freedmen examined and the
applicant identified thereon, page 103, No. 1106, Coowasecookee
district, as Phyllis Foster.
Q The 1896 census roll of Cherokee Freedmen examined and the ap-
plicant identified thereon, page 405, No. 208, Coowasecookee
district, as Phyllis Foster.
Q Where were you born, Cherokee Nation? A Yes, sir.
Q You lived there all your life, in the Cherokee Nation? A Yes, sir.
Q Live here now? A Yes, sir.

Commissioner: Phyllis Foster applies for the enrollment of
herself. She avers that she is the child of Rachel Foster and
Luina Foster. She is duly identified upon the authenticated
roll of 1880 and the census roll of 1896, and makes satisfactory
proof of residence, and will now be listed for enrollment
Cherokee Freedman.

Bruce C. Jones, being duly sworn, says that as stenographer to
the Commission to the Five Civilized Tribes he correctly recorded
the proceedings and testimony in the above case, and the foregoing
is a true and complete transcript of his stenographic notes thereof.

(Signed) Bruce C. Jones

Sworn to and subscribed before me this 1st of July, 1901.

(Signed) T.B. Needles,
Commissioner.

Henry G. Hains being sworn states that the above is a true copy of
the above testimony as appears from the record.

Subscribed and sworn to before me this 9th day of December, 1904.

Notary Public.

Q Did you ever draw any money in the Cherokee Nation? A No sir.
 Q Did anyone ever draw any money for you in the Cherokee Nation?
 A No sir, I had no right there at all.
 Q Louvina, married a Cherokee. A Yes sir.
 Q And she has been a resident of that nation for a great many years.
 A Yes sir.
 Q Do you know whether or not she has drawn any money in the Cherokee
 Nation? A No sir, I couldn't tell you anything about that.
 Q Do you know whether or not Louvina drew money for herself and child-
 dren in the Creek Nation? A She must have drawn it.

=====

M. Hestain, being first duly sworn, says that as stenographer
 to the Commission to the Five Civilized Tribes, he reported the foregoing
 case, and that the foregoing is a true and complete transcript of his
 stenographic notes taken in said cause.

M. Hestain

Subscribed and sworn to before me this
 Muskogee, Indian Territory.

day of July, 1900 at

W. H. Hestain
Commissioner

Page #2.
 Q You have resided in the Indian Territory all your life? A Yes sir.
 Q Have you ever been outside of the Indian Territory? A No sir.
 Q Never have been to any of the states? A As far as I have been is Coffeyville.
 (Mrs. Rogers.) Did you draw the strip money in the Cherokee Nation?
 A Yes ma'am.

=====

SUSIE M. FORD, being sworn testified as follows:
 (By Mr. Angel)
 Q What is your post office address? A Catcoas.
 Q How old are you? A 29.
 Q What Greek town do you belong to? A Canadian.
 Q What is the name of your father and mother? A Randle and Louvina Foster.
 Q Randal Foster, your father is now dead? A Yes sir.
 Q Your father was a Cherokee citizen? A Yes sir.
 Q Your mother was regarded as a Greek citizen? A According to the Dunn roll she is; her name is on there.
 Q Are you a sister of the applicant here? A Yes sir.
 Q She is a full sister of yours is she?
 Q Of the same father and same mother? A Yes sir.
 Q You have filed have you, in the Greek Nation? A Yes sir.
 Q Did you ever draw any money from the Cherokee Nation?
 A My father may have drawn for me, but I lived in the Greek Nation all the while.
 Q Do you know whether or not Louvina drew money for herself and Phyllis in the Greek Nation? A I think she did.
 Q Do you know whether she drew money in 1890 when the \$25 payment was made? A Yes, I think so.
 Q Do you know whether they drew the \$14.40 in 1895 in the Greek Nation? I think they did; I am not certain, but I think they did.
 Q Do you know who the owner of your mother was? A Sukey Kernal.
 Q Was Isaac Kernal a Greek or Cherokee? A I couldn't tell, but she was here in the Greek Nation; I suppose she was a Greek.
 Q Have you always resided in the Greek Nation? A Yes sir.
 Q Have you any full brothers and sisters besides Phyllis? A Tom Foster, Sarah Foster, Martha Foster and George Foster.
 Q Did you have a sister by the name of Jane? A That is my mother's sister.
 Q Have these brothers and sisters that you last mentioned filed in the Greek Nation, any of them? A No sir, none but Martha and myself.

=====

JIM KERNEL, being sworn testified as follows:
 (By Mr. Angel)
 Q How old are you? A About 58 years, I reckon.
 Q What town do you belong to? Canadian.
 Q What is your post office address? A Lee.
 Q Do you know ~~xxxxxxx~~ the applicant here, Phyllis Foster? A Yes sir.
 Q Is Susie Ford here also a sister of Phyllis? A Yes sir.
 Q You are a full brother of Louvina Foster? A Full brother.
 Q Is ~~the~~ Lewis also a full sister? A Yes sir.
 Q Have you any other brothers and sisters? A Yes sir, Salie Grayson, Sarah Stidham, Judy Bruner.
 Q Have your sisters all filed here in the Greek Nation? A Yes sir, I guess they have all filed.
 Q Were they raised here in the Greek Nation? A Yes sir.
 Q Did they ever resided in the Cherokee Nation? A No sir.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, INDIAN TERRITORY, June 2d, 1900

In the matter of the application of Phyllis Foster, for enrollment
as a citizen of the Creek Nation.

PHYLIS FOSTER, being sworn, by G.L.V. Emerson, a notary public, testified
as follows:

Q What is your name? A Phyllis Foster.
Q How old are you? A 20.
Q What is your post office? A Lenape, I.T.
Q What town do you belong to? A I don't know.
Q What is the name of your father? A Randle Foster.
Q Is he now living? A No sir.
Q Was he a citizen of the Creek or Cherokee Nation? A Cherokee Nation.
Q How long has he been dead? A Five years in June.
Q What is the name of your mother? A Louvina Foster.
Q Is she now living? A Yes sir, she was when I left home.
Q Is she a citizen of the Creek or Cherokee Nation?
A The folks says she is a citizen of the Creek Nation; that is what the
people say; I don't know.
Q How old is Louvina? A I don't know and she don't know.
Q Have you any brothers and sisters? A Yes sir I have some.
Q Please name them. A There is some dead; I could name the living ones.
Q Please name them. A Susie Ford, Martha Foster, Sarah Foster, Tom
Foster George Foster.
Q That is all that are living? A Yes sir.
Q Are they your full brothers and sisters? A Yes sir.
Q Have the same father and same mother? A Yes sir.
Q Have you any half brothers and sisters? A One.
Q What is the name? A John Foster.
Q Was the mother of John Foster a Cherokee citizen? A Yes sir, that's
what they say; I don't know.
Q Do you know whether or not your mother's name is on the Dunn roll?
A No sir, I don't.
Q Do you know whether or not her name is on the 1880 Cherokee roll?
A No sir, I don't know that either.
Q Did you ever draw any money from the Cherokee Nation? A My father
drawed.
Q He drew money for you from the Cherokee Nation? A Yes sir.
Q Did you ever draw any money from the Creek Nation? A No sir.
Q Did your father draw money from the Creek Nation? A No sir.
Q Did your mother? A Not as I know of.
Q You don't know? A No sir.
Q You have always made your home in the Cherokee Nation? A Yes sir, th
that's where I was born.
Q That is where your father and mother both live.
A That's where they were living when they died.
Q Your father lived there up to the time of his death and your mother
is still living. A Yes sir.
Q You don't know whether your father or mother drew the \$25 from the
Creek Nation in 1900 for you? A No sir, I don't know.
Q Not that they drew the \$14.40 for you in 1895 from the Creek Nation.
A No sir, my father never has been down here but once that I know of.

CR EN 828

CR EN 828

CARD NO. 3028
FIELD NO. 3028

Roll Creek Nation

Post Office: Mason Creek
Residence: Mason Creek

| Dawes' Roll No. | NAME | Relation to Person first named | AGE | SEX | BLOOD | TRIBAL ENROLLMENT | | | TRIBAL ENROLLMENT OF PARENTS | | |
|-----------------|------|--------------------------------|-----|-----|-------|-------------------|----------|-----|------------------------------|----------|----------------|
| | | | | | | Year | District | No. | Year | District | Name of Mother |
| 1 | Mary | | ✓ | M | Full | 1892 | Nebraska | 192 | 1892 | Nebraska | Mary |
| 2 | | | | | | | | | | | |
| 3 | | | | | | | | | | | |
| 4 | | | | | | | | | | | |
| 5 | | | | | | | | | | | |
| 6 | | | | | | | | | | | |
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| 16 | | | | | | | | | | | |
| 17 | | | | | | | | | | | |
| 18 | | | | | | | | | | | |

No child of Mary; she was born to Mary

May 23, 1901

En. 887

Muskogee, Indian Territory, December 6, 1906.

Wiley Anderson,

Morse, Indian Territory,

Dear Madam:

You are hereby advised that on November 26, 1906, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes dated June 28, 1906, denying the application for the enrollment of your minor child Maxey Johnson as a citizen by blood of the Creek Nation.

Respectfully,

Acting Commissioner:

Register.

No. 857

Muskogee, Indian Territory, December 6, 1906.

M. L. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that on November 26, 1906, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes dated June 28, 1906, denying the application for the enrollment of M. L. Mott as a citizen by blood of the Creek Nation.

Respectfully,

Acting Commissioner.

Refer in reply to the following
Copy
DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON. November 21, 1906.

Land.
52228-1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is inclosed herewith, for Departmental consideration, the report of Commissioner Bixby, dated June 20, 1906, together with the record in the matter of the application of Maxey Johnson, deceased, for enrollment as a citizen by blood of the Creek Nation. Affidavits were filed with the Commission on October 24, 1903, relative to the birth and death of Maxey Johnson, which are considered by the Commissioner as an application for enrollment as above set out. Hearings were had in this case on November 10, 1904, March 19, and June 12, 1905.

The affidavit filed by Winny Anderson as the mother of applicant shows that the child was born on April 29, 1899. In a subsequent affidavit filed by the mother it appears that the death of the child occurred November 30, 1900. At the hearings, however, it developed that Maxey was born prior to Arlie Johnson, a child by the same mother, and according to the records in the office of the Commissioner, Arlie was born February 24, 1897.

The record shows conclusively that Maxey was born shortly before the 1895 Creek payment, and that money was drawn for her at that time. The mother testifies that the child died about three months after that, and that she was mistaken when she made affidavit that the death occurred in November 1900. It clearly appearing that the applicant, Maxey Johnson, died prior to April 1, 1899, the approval of the decision of Commissioner Bixby, denying the application, is recommended.

Very respectfully,

C. F. L. Arras

Acting Commissioner.

A. J. W. - M.

Through the Commissioner
of Indian Affairs.
1 inc. and 2 to Ind. Of.

First Assistant Secretary.

(Signed) Thos Ryan

Respectfully,

its files.

The papers in the case have been sent to the Indian Office for

is hereby affirmed.

The Department concurs in said recommendation, and your decision

inclosed.

recommended that your decision be approved. A copy of the letter is

Reporting November 21, 1906 (Land 86228), the Indian Office

1906, adverse to the applicant.

and by blood of the Creek Nation, including your decision of June 28,
application for the enrollment of Maxey Johnson, deceased, as a citi-
June 29, 1906, you transmitted the record in the matter of the

Sir:

Muskogee, Indian Territory.

Commissioner to the Five Civilized Tribes,

Srs

I.T.D. 23274-1906.

WASHINGTON.
DEPARTMENT OF THE INTERIOR,

LLB

J.P.

November 26, 1906.

Memorandum, Indian Territory, June 28, 1906.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the employment of Henry Johnson, deceased, as a school in place of the Green Station, including the decision of the Commissioner, dated June 28, 1906. Respectfully,

Commissioner.

No. 14-06.

Through the Commissioner
of Indian Affairs.

07, Mar. 1907.

Minneapolis, Indian Territory, June 20, 1906.

Winey Anderson,

Muske, Indian Territory.

Dear Madam:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of your minor child, Mary Johnson, deceased, as a citizen by blood of the Creek Nation, denying said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

Register.
1907.

07-12-23

Washington, Indian Territory, June 20, 1908

M. I. West

Attorney for Creek Nation,
Washington, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Henry Johnson, deceased, as a citizen by deed of the Creek Nation, having said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the same. Yours is informed of the same.

Respectfully,

Commissioner

12-23

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the death of *Mary Johnson*
a citizen of the *Creek*
Nation, who formerly resided at or near
Ind. Terr., and died on the 30 day of Nov. 1903

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA
District of *Indian Territory*
I, *Miner Johnson*,
years of age and a citizen, by *John Johnson* of the *Creek* Nation;
on oath state that I am *38*

that my post office address is *Mary Johnson*
of *Indian Territory*
who was a citizen, by *Mary Johnson*
and that said *Mary Johnson*
died on the 30 day of *Nov.*
1903
that I am personally acquainted with *Mary Johnson*
who was a citizen of the *Creek* Nation, and that said *Mary Johnson*
died on the 30 day of *Nov.*
1903
that I am personally acquainted with *Mary Johnson*
who was a citizen of the *Creek* Nation, and that said *Mary Johnson*
died on the 30 day of *Nov.*
1903

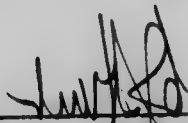
AFFIDAVIT OF ACQUAINTANCE

UNITED STATES OF AMERICA
District of *Indian Territory*
I, *John Johnson*,
years of age, and a citizen, by *John Johnson*
that my post office address is *Mary Johnson*
that I am personally acquainted with *Mary Johnson*
who was a citizen of the *Creek* Nation, and that said *Mary Johnson*
died on the 30 day of *Nov.*
1903
that I am personally acquainted with *Mary Johnson*
who was a citizen of the *Creek* Nation, and that said *Mary Johnson*
died on the 30 day of *Nov.*
1903

DEPARTMENT OF THE INTERIOR
 OFFICE OF
 SUPERINTENDENT FOR THE FIVE CIVILIZED TRIBES
 MUSKOGEE, OKLAHOMA.

THIS IS TO CERTIFY THAT I AM THE OFFICER HAVING CUSTODY OF THE RECORDS PERTAINING TO THE ENROLLMENT OF THE MEMBERS OF THE CHOCTAW, CHICKASAW, CHEROKEE, CREEK AND SEMINOLE TRIBES OF INDIANS, AND THE DISPOSITION OF THE LAND OF SAID TRIBES, AND THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF Deed

Affidavit in to the Application for enrollment of Maxey Johnson as citizen by blood of the Creek Nation.


 Acting Superintendent for the
 Five Civilized Tribes

OCT 1 1924

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

IN RE: Application for Enrollment as a citizen of the
Name of Mother: *Mary Johnson*
Name of Father: *John Johnson*
Name of Child: *John Johnson*
Date of Birth: *1888*
Place of Birth: *Indian Territory*

AFFIDAVIT OF MOTHER

UNITED STATES OF AMERICA
Indian Territory
County of *Adair*

I, *Mary Johnson*, do hereby certify that I am the mother of the child named *John Johnson*, born to me on the *10* day of *April*, 1888, at *Indian Territory*.
I am the lawful wife of *John Johnson*, of the County of *Adair*, Indian Territory.
I am of the age and a citizen of the United States of America.
I am of the age and a citizen of the United States of America.
I am of the age and a citizen of the United States of America.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE

UNITED STATES OF AMERICA
Indian Territory
County of *Adair*

I, *Dr. J. E. Johnson*, do hereby certify that I am the attending physician of the child named *John Johnson*, born to me on the *10* day of *April*, 1888, at *Indian Territory*.
I am of the age and a citizen of the United States of America.
I am of the age and a citizen of the United States of America.
I am of the age and a citizen of the United States of America.

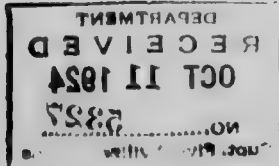
DEPARTMENT OF THE INTERIOR
 OFFICE OF
 SUPERINTENDENT FOR THE FIVE CIVILIZED TRIBES
 MUSKOGEE, OKLAHOMA.

THIS IS TO CERTIFY THAT I AM THE OFFICIAL HAVING CHARGE
 TODAY OF THE RECORDS PERTAINING TO THE FIVE CIVILIZED TRIBES
 THE MEMBERS OF THE CHOCTAW, CHICKSAW, CHEROKEE, CREEK
 AND SEMINOLE TRIBES, AND THE POSITION OF THE LANDS AND
 SITUATION OF THE LANDS SAID TRIBES AND THAT THE
 AND FOREGOING IS A TRUE AND CORRECT COPY OF THE
 Affidavit in re the Application for en-
 rollment of Maxey Johnson as citizen by
 blood of the Creek Nation.

Oct 1 1884

Acting Superintendent for the Five Civilized Tribes

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS



WASHINGTON, D. C., October 6, 1894.

I, E. B. Meritt, Assistant Commissioner

of Indian Affairs, do hereby certify that the papers hereto attached

are true copies of the originals as the same

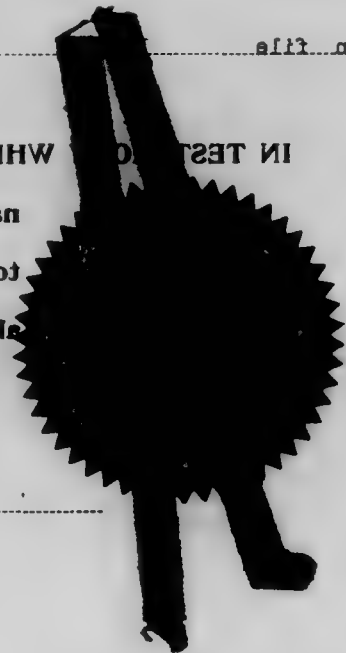
appear on file in this Office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my

name, and caused the seal of this Office

to be affixed on the day and year first

above written.



E. B. Meritt
Assistant Commissioner.

I.S.N.

Gr. No. 887.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment
of Maxey Johnson (or Maxey), deceased, as a citizen by blood
of the Creek Nation.

DECISION.

The record in this case shows that on October 24,
1903 affidavits were filed with this office in the matter of
the birth and death of Maxey Johnson, which said affidavits
are considered in the nature of an application for his enroll-
ment as a citizen by blood of the Creek Nation. Further pro-
ceedings were had November 10, 1904, March 10 and June 18, 1905.
The weight of evidence in this case conclusively
establishes the date of death of Maxey Johnson (or Maxey)
as prior to the birth of Alice, a child by the same mother (said
Alice, as shown by the records of this office, being three
years of age as of February 24, 1900, the date on which she
was listed for enrollment as a citizen of the Creek Nation),
and prior to April 1, 1899, the date of opening of the Creek
Land Office.
It is, therefore, ordered and adjudged that there is
no authority of law for the enrollment of said Maxey Johnson
(or Maxey) as a citizen by blood of the Creek Nation and the
application for his enrollment as such is accordingly denied.

Commissioner.


Muskogee, Indian Territory.

JUN 28 1906

A Test, Mr. I am positive.

DEPARTMENT OF THE INTERIOR
OFFICE OF
SUPERINTENDENT FOR THE FIVE CIVILIZED TRIBES
MUSKOGEE, OKLAHOMA.

THIS IS TO CERTIFY THAT I AM THE OFFICER HAVING CHARGE
OF THE RECORDS PERTAINING TO THE ENROLLMENT OF
THE MEMBERS OF THE CHOCTAW, CHICKASAW, CHEROKEE,
CREEK AND SEMINOLE TRIBES, AND THE DIS-
POSITION OF THE LAND OF SAID TRIBES, AND THAT THE ABOVE
AND FOREGOING IS A TRUE AND CORRECT COPY OF THE
COPY OF BENNIE ANDERSON, et al., dated
8/18/05 in the application for the en-
rollment of Maxey Johnson as a citizen of
the Creek Nation.


Superintendent for the
Five Civilized Tribes

SEP 24 1884

A Yes, sir, I am positive.
Q Do you remember the \$5 payment? A Yes, sir.
Q Did you draw any money for Maxey? A Yes, sir, I drew for him.
Q Do you remember how long after that Maxey died? A Just about
three months afterwards.
Q You are positive then that he died shortly after the 1898 pay-
ment? A Yes, sir.
Q You are positive that he died before the child Arlie was born?
A Yes, sir.

NOTE. The child Arlie is present and appears to be about eight
years old.
Q Tell her when she executed an affidavit signed by mark in which
she said that this child Maxey was born April 30, 1899 and died
November 30, 1900 she was mistaken? A Yes, sir. I recollect the
affidavit, that was our mistake.
Q You didn't understand 1899 or 1900 any better than you do now?
A No, sir.

Said affidavits are made a part of the record herein.

I, J.Y. Miller, on oath state that as stenographer to the
Commission to the Five Civilized Tribes, I reported the above
case and that this is a true, full and correct transcript of my
stenographic notes in the same case. *affidavit in case of*
Subscribed and sworn to before me this 1st day of July 1905.
J.Y. Miller
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, Ind. Terr., June 15, 1908.

In the matter of the application for the enrollment of
Maxey Johnson as a citizen of the Creek Nation.

Bennie Anderson, being duly sworn, testified as follows:

By Commission.

Q What is your name? A Bennie Anderson.
Q How old are you Bennie? A I am twenty-eight or thirty, one or
the other.
Q What is your post office? A Morse.
Q You are a citizen of the Creek Nation? A No, sir, a United States
citizen.
Q What is the name of your wife? A One name Winney. They call it
Winney and Winney.
Q She was enrolled as Winney? A Yes, sir. She had several names.
Q She is known under the name of Winney Anderson? A Yes, sir.
Q Was she ever known as Winney Johnson? A No, sir.
Q Did she have a child by Josie Johnson? A Yes, sir.
Q What was his name? A Maxey Johnson.
Q Statement by the witness. This child Arlie here was enrolled
by the Commission and is about eight years old. That Arlie was
not born at the last Creek payment and that Maxey was born a
little before that and drew money. That money was drawn for her
in the 95 payment and she was sick at that time. Maxey was sick at
that time and died shortly after the payment.
Q Maxey died before Arlie here was born? A Some one drew money for
Maxey, I was there the day they buried her.
Q You know when the land office opened, don't you? A When it was
opened, I forget just what day the land office opened but I
remember about that time.
Q This child has been dead some time-Maxey? A It had been dead
before the land office opened.

Winney Anderson, being duly sworn, testified as follows
through official interpreter, Jesse McDermott.

Q What is your name? A Winney. They call me Winney.
Q How old is she? A About twenty-eight. I don't know for sure.
I guess it to be about that.
Q What is your post office? A Morse.
Q You are a citizen by blood of the Creek Nation? A Yes, sir.
Q Is that your child here, this big one? A Yes, she is mine.
Q What is her name? A Arlie.
Q About how old is she? A A little over eight years.
Q Did you have a child named Maxey Johnson? A Yes, sir.
Q The child is dead, is she? A Yes, sir.
Q Was Maxey born before Arlie? A Yes, sir.
Q She was born first? Did Maxey die before Arlie was born? A Yes,
sir.
Q Do you know how long before? A She was enrolled three years
after he died. That little girl was born.
Q You don't remember the year very well now? A I am not certain
but I just think it is about twelve months.
Q She doesn't know the names of the years? You know the names
of the months in Greek but not in English? A Yes, sir.
Q Do you know when 1890 was? A No, sir.
Q Do you know when 1900 was? No, sir. I never keep track of these
things as I am not educated and can't read.
Q You are certain though that Maxey died before Arlie was born?

DEPARTMENT OF THE INTERIOR
 OFFICE OF
 SUPERINTENDENT FOR THE FIVE CIVILIZED TRIBES
 MUSKOGEE, OKLAHOMA.

THIS IS TO CERTIFY THAT I AM THE OFFICER HAVING CHARGE
 TODAY OF THE RECORDS PERTAINING TO THE ENROLLMENT OF
 THE MEMBERS OF THE CHOCTAW, CHICKSAW, CHEROKEE,
 CREEK AND SEMINOLE TRIBES IN LAND, AND THE DISPO-
 SITION OF THE LAND OF SAID TRIBES, AND THAT THE ABOVE
 AND FOREGOING IS A TRUE AND CORRECT COPY OF THE
 COPY OF THIS PATENT DATED 3/10/08 IN RE
 THE APPLICATION FOR THE ENROLLMENT OF
 MAXEY, deceased, as shown by deed of
 the Creek Nation.

B. E. Nelson
 Superintendent for the
 Five Civilized Tribes

SEP 24 1938

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Morse, I. T., March 10, 1908.

In the matter of the application for the enrollment of Maway,
deceased, as a citizen by blood of the Creek Nation.
NANA BUTCHER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSIONER:
Q What is your name? A Nana Butcher.
Q How old are you? A About thirty-five.
Q What is your post office address? A Morse.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Muskogee.
Q Do you know Joe and Winny? A Yes, sir, Winny is my sister.
Q Do you know a child of theirs named Maway? A Yes, sir.
Q Is that child living? A It is dead.
Q Do you know when it died? A He died in October. I do not
remember the year but it was before people began filling on their land.
Q How many years do you think it has been since he died? A About
eight years I think.
Q How old was he at the time of his death? A Over a year old.
Q There is a record on the tomb-stone showing when he died.
Q Where is the child buried? A It is buried near here. I will
take you there.

The witness was accompanied to the grave of Maway but no
record or writing of any kind could be found thereon.

BY WITNESS:
The father made a record on a small slab of stone and laid
it on the large stone over the grave and it has probably been
knocked off and lost by the renters plowing. (The grave is in
a field)

Q Are you positive that he died before the opening of the land
office? A Yes, sir.

-----0000000000-----

I, D. G. Rogers, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 12th day of May, 1908.

Notary Public.

C. 3028.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Weleska, I. T., November 10, 1904.

In the matter of the application for the enrollment of Maxey as
a citizen by blood of the Creek Nation.

WILLIAM YAHOLA, being duly sworn, testified as follows:

Partly through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A William Yahola.
Q What is your age? A Thirty-three.
Q What is your post office? A Okemah.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Nowata.
Q Did you know a child of Jose and Wiley named Maxey? A Yes, sir.
Q Is that child living? A He is dead.
Q How long has he been dead? A I think the child died in July,
1898.
Q Was that before or after the opening of the Creek Land Office?
A It was after the opening of the land office.
Q Are you positive that the child died after the opening of the
Creek Land Office? A Yes, sir.
Q Why have not his parents selected land for him? A His parents
belonged to the snake faction and have refused to take their allot-
ments.
Q Was this child a member of your town? A Yes, sir.

-----00000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
examination on said date.

Subscribed and sworn to before me this 18th day of November, 1904.

Notary Public.

CR EN 827

CR EN 827

8. 22.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE RIVER CIVILIZED TRIBES.

| |
|------------------------------------|
| REPLY IN WRITING TO THE FOLLOWING: |
| Gr. No. 888 |

Wakarusa, Indian Territory, September 30, 1905.

James Harjo,

Bearden, Indian Territory.

Dear Sir:

You are advised that the names of your minor children,
Sallie Harjo, deceased, and Thimo-poi-i-key Harjo, deceased,
are contained in the partial list of Creek citizens by blood
approved by the Secretary of the Interior September 21, 1905,
and that selection of lands in the Creek Nation may now be made
by their legal representatives for the heirs of said Sallie
Harjo, deceased, and Thimo-poi-i-key Harjo, deceased.

Respectfully,



Commissioner.

or in 856

Manahoga, Indian Territory, June 15, 1905.

M. L. Hoff,

Attorney for the Creek Nation,
Manahoga, Indian Territory.

Sir:

There is enclosed herewith one copy of the decision of the
Commission to the Five Civilized Tribes in the matter of the ap-
plication for the enrollment of Thins-poi-i-key Harjo and Salie
Harjo (both deceased) as citizens by blood of the Creek Nation.
You are hereby notified that the Creek Nation will be al-
lowed fifteen days from date hereof within which to file protest
against said decision, and if, at the expiration of that time, no
protest has been filed, said Thins-poi-i-key and Salie Harjo
(deceased) will be regularly listed for enrollment as citizens
by blood of the Creek Nation.

Respectfully,

Chairman.

1905-15-2

8788

D.C. 52.

Waukegan, Indian Territory, January 26, 1904.

Henry Harte,
Boardman, Indian Territory.

Dear Madam:

There is on file with the Commission an affidavit executed
by you relative to the death of your child, Thine boy & Key Harte,
who, it is claimed, is entitled to enrollment as a citizen of the
Creek Nation. It is desired that further evidence be submitted in
the case.

You are therefore required to appear before the Commission
at its office in Waukegan, Indian Territory, with two witnesses who
know the date of the death of said child, for the purpose of being
examined under oath.

Respectfully,

Commissioner in Charge.

Q. Q.

En. 856.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
Thinc-pol-i-key Harjo and Sallie Harjo, both deceased, as citizens
by blood of the Creek Nation.

D E C I S I O N.

The records of the Commission show that on July 30, 1902,
the affidavit of Nancy Harjo, relative to the death of her minor
child, Thinc-pol-i-key Harjo, was filed with the Commission at its
office in Muskogee, Indian Territory, which said affidavit is con-
sidered as an application for the enrollment of said Thinc-pol-i-key
Harjo, deceased, as a citizen by blood of the Creek Nation.
The records of the Commission further show that prior to
September 1, 1904, an affidavit relative to the death of Sallie Harjo
was filed with the Commission at Muskogee, Indian Territory, which
said affidavit is considered as an application for the enrollment of
said Sallie Harjo, deceased, as a citizen by blood of the Creek
Nation. Said affidavit relating to the death of Sallie Harjo has
been misplaced and cannot now be found in the files of the Commission.
The application for the enrollment of said Sallie Harjo, deceased, is
consolidated with the application for the enrollment of Thinc-pol-i-
key Harjo, deceased. Further proceedings were had November 11, 1904,
and February 27, 1905.
The evidence shows that said Sallie Harjo, deceased, and
said Thinc-pol-i-key Harjo, were born prior to April 1, 1899, and
that they died during the year 1901.
The evidence further shows that said Thinc-pol-i-key Harjo
deceased, and said Sallie Harjo, deceased, were the minor children
of Jones Harjo and Nancy Harjo, and an examination of the records
of the Commission shows that the names of said Jones Harjo and said
Nancy Harjo are contained in the partial list of Creek citizens by
blood approved by the Secretary of the Interior March 28, 1902, Roll
Nos. 8182 and 8015, respectively.
It is, therefore, the opinion of the Commission that said
Thinc-pol-i-key Harjo, deceased, and said Sallie Harjo, deceased,
should be enrolled as citizens by blood of the Creek Nation in
accordance with the provisions of the acts of Congress June 28, 1898
(30 Stat., 495), and March 1, 1901 (31 Stat., 861), and it is so
ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

[Handwritten signature]
Commissioner.

Muskogee, Indian Territory.

JUN 14 1905

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of
a citizen of the
Nation, who formerly resided at or near
and died on the 18 day of October
Here insert name of post office.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.
I, Nancy Sharp,
years of age and a citizen, by blood, of the
Nation;
that my post office address is
of
(State relationship, as the father, an uncle, a cousin, etc.)
who was a citizen, by blood, of the
Nation;
and that said
died on the 18 day of
Here insert name of deceased.
Witnesses to my
(Must be Two)
Subscribed and sworn to before me this 22 day of July 1902
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.
I, Stephen Brown,
years of age, and a citizen, by blood, of the
Nation;
that my post office address is
that I was personally acquainted with
who was a citizen, by blood, of the
Nation;
and that said
died on the 18 day of
Here insert name of deceased.
Witnesses to my
(Must be Two)
Subscribed and sworn to before me this 22 day of July 1902
Notary Public.

22

22

IN RE
THE DEATH OF

John J. King
a citizen of the

Nation.

Approved

1

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ACTING CHAIRMAN

Mr. 656.---2.

they told me to fill out some blank birth affidavits and send them back to the Commission. Jones and his wife were staying at my home then but they went back to Pukkon Tallemae and I have never done anything for them since.
Q What is their post office address? A I think it is Hanna.

---00000000---

I, D. C. Briggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said course on said date.

Subscribed and sworn to before me this 10th day of April 1905.

Charles Briggs
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., February 27, 1905.

In the matter of the application for the enrollment of Thippolikey and Sallie Harjo, deceased, as citizens by blood of the Creek Nation.

TUPPER DUNN, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Tupper Dunn.
Q How old are you? A About thirty-one.
Q What is your post office address? A Okemah.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Arpoka.
Q Do you know Jones and Nancy Harjo? A Yes, sir.
Q Do you know their children, Thippolikey and Sallie Harjo? A No, sir.
Q November 11, 1904, Jones Harjo appeared before the Commission, at Weleetka, Indian Territory, and stated that you could give information relative to the death of these two children? A (Reading from a sheet of paper) The death of Jones Harjo's child. His daughter, Sallie Harjo, born October 18, 1897. Died August 25, 1901, and Thippolikey Harjo--that is his son--born January 16, 1899. Died October 18, 1901.
Q Is that a record? A Yes, sir.
Q Did you make that record? A Yes, sir.
Q When did you make it? A June 25, 1902.
Q If you did not know the children how were you able to know when they died? A They told me.
Q You wrote down the dates as they were given to by the parents of the children, did you, on that piece of paper which you have? A Yes, sir.

The witness presents a sheet of paper on which appears the following:

"Bertgen, I. T. 6/25, 02.

"The death of Jones Harjo's children.

Daughter. Sallie Harjo. Born October 18, 1897.

Died Aug. 25, 1901.

Son. Thippolikey Harjo. Born Jan 16, 1899.

Died Oct. 18, 1901.

Relationship, or Parents

Father. Jones Harjo.

Wife. Nancy Harjo."

Q To whom do you refer when you say "they told me"? A Jones Harjo and Nancy Harjo.
Q For what purpose did they have you make this record? A They were trying to go to Muskogee and file on land for the children.
Q Did you ever see these children? A I see one of them, the daughter, Sallie.
Q When was the last time you saw her? A That was about a year before they told me to make the record.
Q Are Jones and Nancy Harjo members of your town? A No, sir.
Q To what town do they belong? A Jones Harjo belongs to Pukkon, Tahlequah, and Nancy belongs to Arpoka, Tahlequah.
Q Is this the original record which you made? A Yes, sir.
Q How come them to leave the record with you? A I was going to Muskogee then and Jones was aiming to go with me and he thought he would just rather wait and hear from the Dawes Commission, and I went over there and stayed that year to the Dawes Commission and

B & DA. 32-32-32-32.

I, D. C. Blagden, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said course on said date.

D. C. Blagden

Subscribed and sworn to before me this 12 day of November, 1904.

Wm. H. Blagden
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
Wesleyka, I. T., November 11, 1904.

In the matter of the application for the enrollment of Thup-
pelly and Salie Harjo as citizens by blood of the Creek Nation.
NANCY HARJO, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Nancy Harjo.
Q How old are you? A Thirty.
Q What is your post office? A Bearden.
Q Did you have a child named Thuppelly? A Yes, sir.
Q Is that child living? A It is dead.
Q How long has it been dead? A I do not know. I think the child
has been dead about four years.
Q In what month did the child die? A It died in the fall.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Had any one in your neighborhood filed on their land at the time
Thuppelly died? A Yes, sir.
Q Who was it? A I cannot name any one who had filed on his land
but I am certain that there were people in my neighborhood who had
filed when the child died.
Q How old was the child when it died? A It was about three years
old.
Q Was the child born before the opening of the Creek Land Office?
A Yes, sir.
Q How long before? A I do not know how long it was before the
opening of the land office.
Q How long after the opening of the land office did the
child die? A I do not know. It may have been a year or over.
Q Have you ever executed an affidavit as to when the child died?
A Yes, sir.
Q Is the date as given in that affidavit correct? A Yes, sir.
Q Did you have a child named Salie Harjo? A Yes, sir.
Q Is she living? A Dead.
Q How long has she been dead? A I do not know. It has been a
good while.
Q Did Salie die before Thuppelly? A Yes, sir.
Q How long before? A It has been so long I have forgotten.
Q Did Salie die before the land office opened? A I do not know.
Q Salie has probably been dead five years.
Q How old was she when she died? A About four years old.
Q Had people begun to file on their land when she died? A I think
people were filing on their land when she died.
Q Did you ever execute an affidavit relative to the death of Salie?
A Yes, sir.
Q How long has it been since you executed that affidavit? A
About two years ago.
Q How long was that after Salie died? A I do not know.
Q Did you remember the date of her death at the time you executed
that affidavit? A Yes, sir.

The interpreter states that he gathers from his conver-
sation with the witness that she does not remember dates and
seems to have no definite information with reference to the
dates of the deaths of her children.

B & IM. 52-52-1-1-2.

I, D. C. Barga, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

D. C. Barga

Subscribed and sworn to before me this 18 day of November, 1904.

M. J. Murphy

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Weslanka, I. T., November 11, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Thupolikey and Sallie Harjo as citizens by blood of
the Creek Nation.

JONAS HARJO, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Jonas Harjo.
Q How old are you? A I think I am over thirty.
Q What is your post office? A Hamman.
Q Did you have a child named Thupolikey? A Yes, sir.
Q Is that child living? A It is dead.
Q How long has it been dead? A I do not know how long it has been
dead--perhaps over two years.
Q How old was the child when it died? A The child was beginning
to walk at the time it died.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Was this child living at that time? A The child was born after
the opening of the land office.
Q How long after? A Quite a while.
Q About how long? A It may have been a year or two years after the
opening of the land office when the child died.
Q What time of the year did this child die? A The child died when
the farmers just begun picking cotton.
Q Who is the mother of the child? A Nancy Harjo.
Q Was there any record made of the death of this child? A No, sir.
Q Did you or your wife ever execute an affidavit relative to the
death of this child? A I think my wife executed an affidavit at
Okemah.
Q How long was that after the death of the child? A I do not know.
Q Did you have a child named Sallie? A Yes, sir.
Q Is she living? A Dead.
Q How long has she been dead? A I think she has been dead about
four years.
Q How old was she when she died? A I do not know how old she was,
but she could talk well at the time she died. She was about that
high. (Indicating about three feet.)
Q Did she die before or after the opening of the Creek Land Office?
A She died after the land office opened.
Q Are you certain that she died after the land office opened? A
Yes, sir.
Q Was Sallie born before the land office opened? A Yes, sir.
Q How long before? A Sallie was born about the time the section
lines were being established.
Q What time of the year did Sallie die? A Sallie died late in the
fall--when cotton picking was about over with.
Q Did you wife execute an affidavit relative to Sallie's death? A
I think she did.
Q Do you know of any one who would be able to give the Commission
information relative to the death of these two children? A Tupper
Dunn is the only person I can think of.
Q What is his post office address? A Okemah.

CR EN 829

CR EN 829

101

OT. No. 255

Washoe, Indian Territory, March 1, 1907.

Letter No. 101

Washoe, Indian Territory.

Dear Sir: --

You are hereby advised that under date of March 1, 1907, the Secretary of the Interior affirmed the decision of the Commission to the Five Civilized Tribes, denying the application for the enrollment of Robert Scott, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Commissioner.

JWR

Or. No. 888

Minneapolis, Indian Territory, March 9, 1907.

Lafayette White,

Marion, Oklahoma.

Dear Sir: --

You are hereby advised that under date of March 1, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, denying the application for the enrollment of Robert Scott, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Commissioner.

Date of your
letter of transmittal.

Title of case.

| | |
|------------------|--------------------------------------|
| January 22, 1907 | Letter Dickson, (Freedman) |
| January 22, 1907 | Charles T. Fox, deceased |
| January 22, 1907 | Robert M. Hall, deceased |
| January 7, 1907 | Robert Hall, (Freedman) |
| January 21, 1907 | Marjorie Scott, deceased, (Freedman) |

Copies of Indian Office letters admitting your reports and recommending that the decisions be approved, are enclosed. A copy heretofore and all the papers in the above-mentioned cases have been sent to the Indian Office.

Respectfully,

(Signed) Louis K. Wilson,

Assistant Secretary.

27 Dec. and 31 for Ind. Off.

1-1-07

22

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|---------|------|------|------|------|--------|
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adverse to the applicants are hereby affirmed, viz:

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Refer in reply to the following:
Land 92821-1906.
DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

February 23, 1907.

COPY

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed the record of proceedings in the matter of the application for the enrollment of Robert Scott, deceased, as a citizen by blood of the Creek Nation, including decision of the Commissioner to the Five Civilized Tribes, dated October 18, 1906, adverse to the applicant.

The record shows that on June 6, 1901 there was filed with the Commission to the Five Civilized Tribes an application, in affidavit form, for the enrollment of Robert Scott, deceased, as a citizen by blood of the Creek Nation. There were also filed affidavits relative to the death of the applicant.

The evidence shows that the applicant was the minor child of James and Robert Scott; that the father of the applicant died prior to the opening of the Creek Land Office, and the weight of the evidence shows that the applicant died prior to the death of his father, and prior to April 1, 1899.

Therefore by reason of the provisions of the Act of Congress approved March 1, 1901 (31 Stat. 1, 861), the Office concurs in

the decision of Commissioner Bixby denying the enrollment of Robert Scott, deceased, as a citizen by blood of the Creek Nation.

Or. No. 855.

Muskogee, Indian Territory, October 19, 1904.

The Honorable,
The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings
in the matter of the application for the enrollment of Robert
Scott, deceased, as a citizen by blood of the Creek Nation, in-
cluding the decision of the Commissioner, dated October 19, 1904.
Respectfully,

Commissioner.

Through the Commissioner
of Indian Affairs.

TM-10-10-8.

Cr. No. 888.

Munhoge, Indian Territory, October 18, 1906.

M. L. Mott,

Attorney for Creek Nation,

Munhoge, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Robert Scott, deceased, as a citizen by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

IM-10-12-4

484

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

| |
|---------------------------------|
| REPLY IN REPLY TO THE FOLLOWING |
| Cr. En. 855... |
| |
| |

Muskogee, Indian Territory, October 19, 1906.

Lafayette Walker,

Barlaboro, Oklahoma Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Robert Scott, deceased, as a citizen by blood of the Creek Nation, denying said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

Register.
IM-10-19-06.

Dr. Mr. 855.

Munroe, Indian Territory, October 19, 1908.

Isidor M. M. M.

Munroe, Indian Territory.

Dear Madam:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Robert Scott, deceased, as a citizen by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

Register
IM-10-19-2.

xxx

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, September 7, 1906.

Kalaney,

Padon, Indian Territory.

Dear Sir:

You are hereby advised that on August 22, 1906, the Secretary of the Interior approved the enrollment of your minor child, Onapon Kalaney, as a citizen of the Creek Nation, and that the name of said child appears upon the roll of minor citizens by blood of the Creek Nation, enrolled under the Act of Congress approved April 26, 1906, as Number 122. The child is now entitled to an allotment, and application therefor should be made without delay at the Creek Land Office, Muskogee, Indian Territory.

Respectfully,



Acting Commissioner.

004

REFER IN REPLY TO THE FOLLOWING
B. A. 141

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS:
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRICKNOR,
W. E. STANLEY.
ALLISON L. AYLESWORTH,
SECRETARY.

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE
Muskogee, Indian Territory, November 20, 1903.

Thomas Thompson,

Earlsboro, Oklahoma Territory.

Dear Sir:

There are on file with the Commission affidavits relative to the birth and death of Robert Scott, deceased, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case. It is therefore desired that the heirs of said child appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the dates of the birth and death of said child, for the purpose of being examined under oath.

Respectfully,

Chairman.

COMMISSIONERS TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
Robert Scott, deceased, as a citizen by blood of the Creek Nation.

DECISION

The record in this case shows that on June 6, 1901, there was filed with the Commission to the Five Civilized Tribes an application, in affidavit form, for the enrollment of Robert Scott, deceased, as a citizen by blood of the Creek Nation. There were also filed on said date affidavits in the matter of the death of said applicant. Further proceedings were had November 10, November 26 and November 28, 1904, January 21, 1905 and September 13, 1906. It will be noted from the statement immediately following the testimony taken on January 21, 1905 that the proceedings had on November 10, 26 and 28, 1904 were in relation to the death of Robert Scott, the father of the applicant in this case. The evidence shows that the applicant, Robert Scott, deceased, was the minor child of Lewis and Robert Scott; that the father of said applicant died prior to the opening of the Creek Land Office, and the weight of evidence shows that said applicant died prior to the death of his father and prior to April 1, 1902. It is, therefore, ordered and adjudged that there is no authority of law for the enrollment of said Robert Scott, deceased, as a citizen by blood of the Creek Nation and the application for his enrollment as such is accordingly denied.

COMMISSIONER.

Muskogee, Indian Territory.

OCT 1 1906

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In Re Application for Enrollment, as a citizen of the _____ Nation,
of _____, born on the _____ day of _____, 1888.
(Here insert name of child)
Name of Father: _____ a citizen of the _____ Nation.
Name of Mother: _____ a citizen of the _____ Nation.
Post-office _____

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District _____
I, _____, on oath state that I am _____ years of age and a citizen, by _____
that I am the lawful wife of _____, who is a citizen, by _____
of the _____ Nation; that a _____ child was _____

born to me on _____ day of _____, 1888; that said child has been named _____ and is now living. _____

WITNESSES TO MARK:

Must be Two Witnesses.

Subscribed and sworn to before me this _____ day of _____, 1901.
_____ NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District _____
I, _____, on oath state that I attended on Mrs. _____, wife of _____, on the _____ day of _____, 1888; that there was born to her on said date a _____ child; that said child is now living and is said to have been named _____

WITNESSES TO MARK:

Must be Two Witnesses.

Subscribed and sworn to before me this _____ day of _____, 1901.
_____ NOTARY PUBLIC.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the death of Robert Beatt, Jr.
(Here insert name of deceased.)
a citizen of the Cherokee
Cherokee Ind. Ter., and died on the 8th day of August, 1899.
(Here insert name of postoffice.)

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
District of Cherokee
I, Levin Mowbray,
years of age and a citizen by blood of the Cherokee Nation;
that my postoffice address is Cherokee
(Here insert name of postoffice.)
of Robert Beatt, Jr.
(Here insert name of deceased.)
who was a citizen by blood of the Cherokee Nation;
and that said Robert Beatt, Jr.
(Here insert name of deceased.)
died on the 8th day of August, 1899.
Witnesses to Mark:
(Must be Two.)
John Mowbray
John Mowbray
Subscribed and sworn to before me this 4th day of June, 1899.

Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
District of Cherokee
I, Levin Mowbray,
years of age, and a citizen by blood of the Cherokee Nation;
that my postoffice address is Cherokee
(Here insert name of postoffice.)
that I was personally acquainted with Robert Beatt, Jr.
(Here insert name of deceased.)
who was a citizen by blood of the Cherokee Nation;
and that said Robert Beatt, Jr.
(Here insert name of deceased.)
died on the 8th day of August, 1899.
Witnesses to Mark:
(Must be Two.)
John Mowbray
John Mowbray
Subscribed and sworn to before me this 4th day of June, 1899.

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Tulsa, I. T., January 31, 1908.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Walter Scott, deceased, as a citizen by blood of the
Greek Nation.

WALTER MANLEY, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Walter Manley.
Q How old are you? A Twenty-nine.
Q What is your post office address? A Tulsa.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Tulsa, Oklahoma.
Q Did you know a child of Robert and Louisa Scott named Walter
Scott? A Yes, sir.
Q Do you know when that child died? A I do not remember the exact
date of the child's death but I think it has been over three years.
Q Do you know in what month the child died? A I think it was in
March.
Q Do you remember the circumstances of the opening of the Greek Land
Office? A Yes, sir.
Q Did Walter Scott die before or after the land office opened? A
After the land office opened.
Q Where you present when the child died? A Yes, sir.
Q How old was the child at the time of his death? A Something over
a year old--the child was just beginning to walk.
Q What relation was the child to you? A I am the aunt of the child.
Q Had any one that you know made selection of land at the time the
child died? A I cannot name any particular person but I know that
people were filling on their land at the time the child died.
Q Where was the child living when it died? A In the Seminole
Nation.
Q Are the parents of this child living? A They are both dead.
Q How long have they been dead? A The father has been dead a good
while. The child was born after the father died.
Q How long after? A About four months after.
Q According to your best recollection how many years has it been
since the father died? A It has been a long time probably five
years.
Q When did the mother die? A I think she has been dead about four
years.
Q Which died first, the mother or the child? A The child died first.
Q How long was that before the mother died? A The child died in
March and the mother died the next February.
Q Was there a record made of the death of this child? A There may
have been a record made on the head-board of the grave.
Q Where is the child buried? A Near the Oklahoma line, in the
Seminole Nation, close to George Korman's house.
Q Near what post office? A Korman.
Q Had the mother made selection of land for herself when she died?
A I think not.
Q Was there a record made of the death of either of the parents of
this child? A I don't know.
Q Where are they buried? A Louisa is buried in the Seminole Nation
in the same grave-yard that the child is buried in and Robert is
buried in the Greek Nation. (The grave of Robert Scott has heretofore
been examined and no record or writing of any description was found)

En. 855.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Hulalia, I. T., January 31, 1908.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Robert Scott, deceased, as a citizen by blood of the
Greek Nation.

LESTER MANLEY, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Lester Manley.
Q How old are you? A Twenty-nine.
Q What is your post office address? A Hulalia.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Hulalia, Canadian.
Q Did you know a child of Louisa and Robert Scott named Robert Scott?
A Yes. A They had a child that died very young, but I never saw the
child and do not even know what they named it. I think Dave Coker
made application for the child.
Q Do you know about when the child died? A The child died before
Nether was born.
Q Do you know how long before? A No, sir.
Q Did you ever execute an affidavit about the death of this child?
A I do not remember executing an affidavit about the child.
Q On June 5, 1901, you and David Coker executed an affidavit relative
to the death of Robert Scott Jr.? A I do not remember executing such
an affidavit.

The testimony taken November 10, and 26, 1904, in this
case was under misapprehension of the facts. It was then
thought that Robert Scott was a man but it now develops that he
was a child.

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I, D. G. Briggs, on oath state that the above and foregoing is a
true and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 7 day of February, 1908.

[Signature]
Notary Public.

Ex. 858.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Tulula, I. T., January 31, 1905.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Robert Scott, deceased, as a citizen by blood of the
Greek Nation.

EXHIBIT MARKED, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSIONER:
Q What is your name? A Leister Manley.
Q How old are you? A Twenty-nine.
Q What is your post office address? A Tulula.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Tulula, Canadian.
Q Did you know a child of Louis and Robert Scott named Robert Scott?
A Yes. A They had a child that died very young, but I never saw the
child and do not even know what they named it. I think Dave Geyer
made application for the child.
Q Do you know about when the child died? A The child died before
Michael was born.
Q Do you know how long before? A No, sir.
Q Did you ever execute an affidavit about the death of this child?
A I do not remember executing an affidavit about the child.
Q On June 3, 1901, you and David Geyer executed an affidavit relative
to the death of Robert Scott Jr.? A I do not remember executing such
an affidavit.

The testimony taken November 10, and 26, 1904, in this
case was under misapprehension of the facts. It was then
thought that Robert Scott was a man but it now develops that he
was a child.

-----0000000000-----

I, D. G. Shaffer, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 7 day of February, 1905.

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wulania, I. T., November 28, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Robert Scott, deceased, as a citizen by blood of the
Greek Nation.

P. R. WING, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A P. R. Wing.
Q How old are you? A About forty-four.
Q What is your post office address? A Wulania.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Hitchabee.
Q Did you know Robert Scott? A Yes, sir.
Q He is dead is he? A Yes, sir.
Q About how long has he been dead? A Been dead about six or seven
years.
Q Do you remember the circumstance of the opening of the Greek Land
Office? A Yes, sir.
Q Did Robert Scott die before or after the opening of the Greek Land
Office? A I think he died just a little before.
Q According to your best recollection how long before? A About a
year.
Q What time of the year did he die? A I think it was in the Spring,
between August and January---in the spring between August and the
first of the year.
Q Had he always lived in the Greek Nation? A No, sir.
Q Where had he been living prior to his death? A In the Seminole
Nation.
Q Was he living in the Greek Nation at the time of his death? A
Yes, sir.
Q To what town did he belong? A Wulania Canadian.
Q About how old was he at the time of his death? A He was about
forty-eight or forty-nine--he was older than I am.
Q You are positive are you that he died before the land office
opened? A Yes, sir, before the land office opened.

-----00000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
examination on said date.

Subscribed and sworn to before me this 5 day of December, 1904.

Edmond T. Skaggs
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE WIVS CIVILIZED TRIBES.
Enfalia, I. T., November 26, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Robert Scott, deceased, as a citizen by blood of the
Greek Nation.

DANIEL LEWIS, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Daniel Lewis.
Q How old are you? A Thirty-seven.
Q What is your post office address? A Enfalia.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q What town do you belong to? A Enfalia, Canadian.
Q Do you know a member of your town named Robert Scott? A Yes, sir.
Q Is he living? A Dead.
Q Do you know how long he has been dead? A I think he has been dead about six years.
Q Do you know in what year he died? A I think he died in either 1897 or 1898.
Q Do you remember the circumstance of the opening of the Greek Land Office? A Yes, sir.
Q Was Robert Scott living or dead when the land office opened? A He died after the opening of the land office.
Q About how long after the opening of the land office did he die? A I do not know.
Q In what time of the year did he die? A He died in the fall of the year--I think in September.
Q Had any one that you know filed upon his allotment at the time Robert Scott died? A I think William Tiger had made selection of land.
Q Is he the same man that killed Sellick McIntosh? A Yes, sir.
Q How long had William Tiger been out of prison when he made selection of land for himself? A Just a short time.
Q Was there any record made of the date of the death of Robert Scott? A I think the record of his death is inscribed on the head-board of his grave. He is buried near my house.
Q Are you positive that he died after the opening of the Greek Land Office? A Yes, sir.
The grave described as being the grave of Robert Scott was visited and no record or inscription found upon the head-board of said grave.

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I, D. C. Shales, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said case on said date.
Subscribed and sworn to before me this 1 day of December, 1904.
Notary Public.

A. 141.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 10, 1904.

In the matter of the application for the enrollment of Robert
Scott as a citizen by blood of the Creek Nation.
D. A. BARNETT, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

MY COMMISSION:
Q What is your name? A D. A. Barnett.
Q How old are you? A Fifty.
Q What is your post office address? A Bernard.
Q Are you a citizen by blood of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Eufaula, Oklahoma.
Q Do you know a member of your town named Robert Scott? A Yes,
sir.
Q Is he living? A He is dead.
Q How long has he been dead? A He has been dead a long time.
Q Do you remember the circumstances of the opening of the Creek land
Office? A Yes, sir.
Q Did he die before or after the opening of the Creek land Office?
A He died before.
Q How long before? A About two years.
Q Had he always lived in the Creek Nation? A He was a Greek
Citizen and was enrolled as a member of the Eufaula Canadian Town but
he lived a long time in the Seminole Nation. He moved back to the
Greek Nation and died.
Q Are you positive that he died before the opening of the Creek land
Office? A Yes, sir.

-----00000000-----

I, D. C. Skyles, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 12 day of November, 1904.

Notary Public.

2 In re application of Dave Goker for the enrollment of his
cousin, Neither Scott, deceased, as a citizen of the Greek Nation.

The records of the Commission examined and it ap-
pears therefrom that Louis Scott is listed for enroll-
ment on Greek Indian Card, Field No. 3231.

Q Was Louis Scott known by any other names? A Her name was
Louis Thompson before she married Scott.

The 1890 authenticated tribal roll of the Greek
Nation, Butala Canadian town, examined, and the name
of Louis Scott is found and identified thereon as
"Louis Thompson", at Page No. 98.
The 1893 Roll of the Greek Nation, Butala Canadian
town, examined, and the name of Louis Scott is found
and identified thereon as "Louis Thompson", at No. 51.

Q Do you make application for the enrollment of Neither Scott as a
citizen, by blood, of the Greek Nation? A Yes, sir.
Q Is this the first time that application has ever been made to the
Commission for the enrollment of Neither Scott as a citizen of the
Greek Nation? A Yes, sir; I think so.

The records of the Commission examined and it ap-
pears therefrom that there has never been an application
made to the Commission prior to this time for the enroll-
ment of Neither Scott, as a citizen of the Greek Nation.

Q Has there ever been a birth and death affidavit filed with the
Commission in the matter of the application for the enrollment of
Neither Scott, as a citizen of the Greek Nation? A I thought
affidavits were all fixed up and sent in here.
Q Have you a birth and a death affidavit with you now? A Yes, sir.

The applicant here presents birth and death af-
fidavits in the matter of the application for the
enrollment of Neither Scott, which affidavits are
marked Exhibit "A", and made a part of the record.

Q Are there any other statements that you desire to make at this
time with reference to the application made by you for the enroll-
ment of your cousin, Neither Scott, deceased, as a citizen by
blood of the Greek Nation? A No.

You will be furnished at a later date with a copy of the decision
of the Commission in the matter of the application made by you for
the enrollment of your cousin, Neither Scott, deceased, as a citizen
by blood of the Greek Nation, which will be mailed to you at your
proper post office address, as given by you in your testimony herein.

The undersigned, being first duly sworn, upon his oath states
that, as stenographer for the Commission to the Five Civilized
Tribes, he reported the proceedings had in the above entitled cause
on the 25th day of September, 1902, and that the above and foregoing
is a full, true and correct transcript of his stenographic notes at
said proceedings on said date.

Subscribed and sworn to before me this 25th day of September, 1902,
at Muskogee, Indian Territory.

W. A. Dwyer
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskegon, Ind. Ter., September 2, 1902.

In the matter of the application of Dave Coker for the enrollment of his cousin, Nether Scott, deceased, as a citizen, by blood, of the Creek Nation.

Dave Coker, being first duly sworn, testified as follows, through Interpreter James H. Lynch.

By the Commission.

Q What is your name? A Dave Coker.
Q What is your age? A Thirty-eight.
Q What is your post office address? A Muskogee, Indian Territory.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q For whom do you now make application for enrollment?
A Nether Scott.

Q Is she now living? A No, she is dead.
Q What kin is she to you? A First cousin.
Q How old was she when she died? A I don't know exactly, about two years old, I guess.
Q When did she die? A I don't remember the exact date of her death, but the parties who made out the affidavit knew the exact date.

Q Did she die before or after the Land Office was opened at Muskogee? A I don't remember exactly whether it was before or after the Land Office was opened.
Q Was her post office the same as yours? A Yes, sir.
Q To what town in the Creek Nation did she belong? A Muskogee, Canadian.

Q Was she ever recognized by the tribal authorities of the Creek Nation as a citizen of the Creek Nation? A Yes, sir.
Q She was born after the 1895 Creek roll was made, was she not?
A Yes, sir.

Q What was the name of her father? A Robert Scott.
Q Is Robert Scott now living? A He is dead.
Q When did he die? A Don't remember exactly, but about five or six years ago; died in the month of October, but I don't remember the year.

Q To what town in the Creek Nation did he belong? A Muskogee, Canadian.
Q Was he a recognized citizen of the Creek Nation? A Yes, sir.
Q Does his name appear upon the Creek tribal rolls? A Yes, sir.

The 1890 authenticated tribal roll of the Creek Nation examined and the name of Robert Scott is found and identified thereon at Page No. 98, Muskogee, Canadian town.
The 1895 Pay Roll of the Creek Nation, Muskogee, Canadian town, examined and the name of Robert Scott is found and identified thereon at No. 147.

Q What was the name of the mother of Nether Scott? A Louisa Scott.
Q Is she now living? A She is dead.
Q When did she die? A I don't remember the exact date of her death.
Q To what town in the Creek Nation did she belong? A Muskogee, Canadian.
Q Was she a recognized citizen of the Creek Nation? A Yes, sir.
Q Has she been enrolled by the Commission as a citizen of the Creek Nation? A I think so.
Q Does her name appear upon the Creek tribal rolls? A Yes, sir.

CR EN 822

CR EN 822

Muskogee, Indian Territory,
MAR 20 1902

Commissioner.
[Signature]

Commissioner.
[Signature]

Chairman.
[Signature]

COMMISSION TO THE FIVE CIVILIZED TRIBES,

ordered.
1898 (30 Stat., 495) and March 1, 1901 (31 Stat., 861), and it is so
in accordance with the provisions of the acts of Congress, June 28,
Holata should be enrolled as a citizen by blood of the Creek Nation
It is, therefore, the opinion of the Commission that said Wilaya
prior to April 1, 1899, and was living at the date of the application
The evidence further shows that said Wilaya Holata was born
Secretary of the Interior March 28, 1902, Roll No. 9011.
final list of citizens by blood of the Creek Nation, approved by the
shows that the name of the said Susey Holata is contained in the par-
Susey Holata, and an examination of the records of the Commission
The evidence shows that said Wilaya Holata is the minor child of
9012, as Willie Holata.

blood approved by the Secretary of the Interior, March 28, 1902, No.
Willaya Holata is identified in the partial list of Creek Citizens by
An examination of the records of the Commission shows that said
proceedings were had November 11, and December 16, 1904.
and Wilaya Holata as citizens by blood of the Creek Nation. Further
the Commission as an application for the enrollment of said Wilaya
Muskogee, Indian Territory, which said affidavits are considered by
birth of Wilaya and Wilaya Holata, were filed with the Commission at
November 23, 1901, the affidavits of Susey Holata, relative to the
The record in this case shows that on September 30, 1901, and on

---: D E C I S I O N :---

Holata and Wilaya as citizens by blood of the Creek Nation.
In the matter of the application for the enrollment of Wilaya

--:0:--

COMMISSION TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR,

En. 854.

E.C.G.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Tidmore, I. T., December 16, 1904.

In the matter of the application for the enrollment of Willys Holata and Willys as citizens by blood of the Creek Nation.
GEORGE RIPLEY, being duly sworn, testified as follows:
Through Alex Posey, Official Interpreter:

BY COMMISSIONER:
Q What is your name? A George Ripley.
Q How old are you? A I am about thirty.
Q What is your post office address? A Tidmore.
Q Are you a citizen of the Seminole Nation? A Yes, sir.
Q Do you know John Holata? A Yes, sir, I have known him a long time.
Q Do you know his children? A Yes, sir.
Q Has he two children named Willys and Willys? A Their proper names are Willie and Willys.
Q Are these two children living? A Yes, sir.
Q Which of the two is the oldest? A Willie.
Q How old is Willie? A I do not know his exact age but I would judge that he is about eight years old.
Q How old is Willys? A He is about six years old.
Q Is Willys a girl or a boy? A Both of them are boys.
Q What is the name of their mother? A Kate Holata.
Q Was she a citizen of the Creek Nation? A Yes, sir.
Q Is she living? A She is dead.
Q Do you know to what town in the Creek Nation she belonged? A Hitchitee.
Q Do you know whether or not land has been selected for these two children? A We made selection of land for Willie and has been before the Commission to select land for Willys but the Commission I understand, desired further evidence as to when Willys was born and no selection for him has been made.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Do you know whether or not Willys was born before or after the opening of the Creek Land Office? A Willys was born just before the land office opened.
Q Do you know how long before? A About six months before the land office opened. His friends charged him to go and select land for the child as the child was clearly entitled to an allotment of land but he neglected to do so on account of the lack of means and prejudice against the work of the Commission.
Q Was he a member of the so-called Snake Faction? A Yes, sir, but he has since ceased to affiliate with the Snake Faction, seeing that it did no good.
Q You are positive, are you, that Willys was born before the land office opened? A Yes, sir.
Q Has John Holata any other children? A No, sir, he has only the two, Willys and Willie.

I, D. C. Rogers, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this December 29, 1904.

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 11, 1904.

In the matter of the application for the enrollment of Willys
Helata and Willys as citizens by blood of the Creek Nation.

DAVE COKER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Dave Coker.
Q How old are you? A Forty-five.
Q What is your post office address? A Muskogee.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Muskogee.
Q Do you know two children of Snake and John Helata named Willys
and Willys? A Yes, sir.
Q Have they any other names? A The oldest I think is named Willys
and the youngest Willys. They are both sometimes called Chaps.
Q Are they living? A Yes, sir.
Q How old is Willys? A About seven years old.
Q How old is Willys? A Willys is about five years old.
Q Were these two children born before the Creek Land Office opened?
A Yes, sir.
Q How long before the land office opened was Willys born? A I do
not know how long before the land office opened these two children
were born.
Q Were they born as much as a year before the Creek Land Office
opened? A Yes, sir, at least two years. I know that the two
children are entitled to take selection of land and I have on several
occasions advised their parents to go before the Commission and file
them on their allotments but John Helata is a Snake Indian and has
paid no attention to my advice.
Q What is his post office? A Muskogee.

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I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 18 day of November, 1904.

[Signature]
Notary Public.

Wm. 854.

Muskogee, Indian Territory, June 5, 1905.

George Ripley,

Tidmore, Indian Territory.

Dear Sir:

You are hereby advised that the name of your minor child, Wiley Holata is contained in the partial list of citizens by blood of the Creek Nation, approved by the Secretary of the Interior May 23, 1905, and that application for a selection of land in the Creek Nation may now be made for said Wiley Holata at the office of the Commission in Muskogee, Indian Territory.

Respectfully,

Commissioner in Charge.

CT EN 884

Muskogee, Indian Territory, March 21, 1906.

M. L. Mott,

Attorney for the Creek Nation,
Muskogee, Indian Territory.

Sir:

There is enclosed herewith a copy of the decision of the
Commission to the Five Civilized Tribes in the matter of the ap-
plication for the enrollment of Wilaya Holata as a citizen by
blood of the Creek Nation.

You are hereby advised that the Creek Nation will be al-
lowed fifteen days from date herofore within which to file protest
against said decision, and if, at the expiration of that time,
no such protest has been made, said Wilaya Holata will be regis-
tered for enrollment as a citizen by blood of the Creek

Nation.
Respectfully,

Chairman.

LYM-SI-3.

I hereby certify that the defendant
 was one of our by law and upon examination
 I find that the defendant attended the
 the school at the birth of the children
 and has since died. The children are
 still living and accompanying the mother
 when this affidavit was made

J. H. H. H.
 Secretary
 No. 28 of September 1901

Virginia
 Fairfax (Oct. 2/1901)

67.9.9

REFER IN REPLY TO THE FOLLOWING

B. A. 80-81.

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRACKENRIDGE,
W. E. STANLEY.

ALLISON L. AYLESWORTH,
SECRETARY

Muskogee, Indian Territory, November 17, 1903.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
ADDRESS ONLY THE

State Holatha,

Mekasaukey, Indian Territory.

Dear Madam:

There are on file with the Commission affidavits executed by you relative to the birth of your minor children, Willis and Willie Holatha, who, it is claimed, are entitled to enrollment as citizens of the Creek Nation. It is desired that further evidence be

submitted in the case.

You are therefore required to appear before the Commission at Muskogee, Indian Territory, with two witnesses who know the dates of the birth of said children, for the purpose of being examined

under oath.

Respectfully,

Chairman.

CR EN 824

CR EN 824

✓
CR 22 853

Wapakonee, Indian Territory, August 9, 1908.

Levi Riley.

Baro, Indian Territory.

Dear Sir:

You are hereby advised that the name of your deceased daughter,

Elizabeth Riley, is contained in the partial list of Creek Freed-

men approved by the Secretary of the Interior July 31, 1905, and

that application for a selection of land in the Creek Nation for

the heirs of said Elizabeth Riley (deceased) may now be made at

the office of the Commissioner to the Five Civilized Tribes, in

Wapakonee, Indian Territory.

An entire allotment of 160 acres must be selected at the

time of the original application.

Respectfully,

Acting Commissioner.

Dr. H. H. 852.

Muskogee, Indian Territory, April 22, 1902.

M. L. Fott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of

the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Elizabeth Riley as a Creek Freedman.

You are hereby notified that the Creek Nation will be allowed fifteen days from the date hereof within which to protest against said decision, and if, at the expiration of that time, no such protest has been made, said Elizabeth Riley will be regularly listed for enrollment as a Creek Freedman.

Respectfully,

Chairman.

IM-4-12-108.

888

D. C. 82.

Muskogee, Indian Territory, January 30, 1904.

Levi Riley,

Holdenville, Indian Territory.

Dear Sir:

There is on file with the Commission an affidavit relative

to the death of your child, Elizabeth Riley, who, it is claimed, is

entitled to enrollment as a citizen of the Creek Nation. It is de-

clared that further evidence be submitted in the case.

You are therefore required to appear before the Commission

at its office in Muskogee, Indian Territory, with two witnesses who

know the date of the death of said child, for the purpose of being

examined under oath.

Respectfully,

Commissioner in Charge.

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the death of Elizabeth Riley
(Here insert name of deceased)
a citizen of the Green Nation, who formerly resided at or near
Adamsville Ind. Ter., and died on the 13 day of Dec-13-1899
(Here insert name of post office)

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of Adams
I, B. E. Taylor, on oath state that I am 39
years of age and a citizen, by birth of the Green Nation;
that my post office address is Adamsville Ind. Ter.; that I am
(Here insert name of post office)
of Adamsville
(Here insert name of deceased)
who was a citizen, by birth of the Green Nation;
and that said Elizabeth Riley died on the 13 day of Dec-13-1899
(Here insert name of deceased)

WITNESSES TO MARK:

(Must be Two)
Witnesses

Subscribed and sworn to before me this 24 day of Dec-24-1900
Wm. C. Taylor
Notary Public

AFFIDAVIT OF ACQUAINTANCE

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of Adams
I, James Brown, on oath state that I am 38
years of age, and a citizen, by birth of the Muskogee Nation;
that my post office address is Adamsville Ind. Ter.;
that I was personally acquainted with Elizabeth Riley
(Here insert name of deceased)
who was a citizen, by birth of the Muskogee Nation;
and that said Elizabeth Riley died on the 13 day of Dec-13-1899
(Here insert name of deceased)

WITNESSES TO MARK:

(Must be Two)
Witnesses

Subscribed and sworn to before me this 30 day of Dec-30-1900
Wm. C. Taylor
Notary Public

IN RE
THE DEATH OF
Elizabeth Riley
a citizen of the
Nation.

Approved _____
190 _____
Commissioner.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

FILED
James H. Jones
ACTING CHAIRMAN

James H. Jones
March 2nd 190

32

No. 823.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

--:O:--

In the matter of the application for the enrollment
of Elizabeth Riley, deceased, as a Creek Freedman.

--: D E C I S I O N :--

The record in this case shows that on January 14, 1903, the
affidavit of R. E. Taylor, relative to the death of Elizabeth Riley,
was filed with the Commission at Muskogee, Indian Territory, which
said affidavit is considered by the Commission as an application for
the enrollment of said Elizabeth Riley, deceased, as a Creek Freedman.
Further proceedings were had November 10, and December 7, 1904.
The evidence shows that said Elizabeth Riley, deceased, is the
daughter of Levi Riley, whose name is identified on the Dunn Roll;
that she is identified on the 1890 authenticated Tribal Roll and
the 1895 Pay Roll of the Creek Nation; and that she died subsequent
to April 1, 1899.
It is, therefore, the opinion of the Commission that said
Elizabeth Riley, deceased, should be enrolled as a Creek Freedman
in accordance with the provisions of the acts of Congress, June 28,
1898 (30 Stat., 495), and March 1, 1901 (31 Stat., 861), and it
is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory.

APR 20 1905

E.C.G.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

No. 883.

--:0:--

In the matter of the application for the enrollment of
Elizabeth Riley, deceased, as a Creek Freedman.

--: SUPPLEMENTAL STATEMENT:--

The roll of Creek Freedmen made by J. W. Dunn, under
authority of the United States, prior to March 14, 1867, examined
and Levi Riley, father of said Elizabeth Riley, deceased, found
thereon at Number 1734.
The 1890 authenticated Tribal Roll of the Creek Nation
examined and the name of Elizabeth Riley identified thereon on
page 71, Canadian Town.
The 1890 Pay Roll of said Nation examined and
Elizabeth Riley identified thereon in Canadian Town, Number
864, as Lizzie Riley.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Commissioner.

Muskogee, Indian Territory,
JAN 25 1902

Mr. 853--S.

Q You are positive are you that Elizabeth died after the opening of
the land office? A Yes, I am positive, positive--sure I am positive.
Q How old was Elizabeth Riley at the time of her death? A She was
grown woman.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 12th day of December,

1904.

Edw. Skaggs
Notary Public.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR,
Paris, I. T., December 7, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Elizabeth Riley, deceased, as a Creek Freedman.

PARO BRUNER, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Paro Bruner.
Q How old are you? A I am about 81 or 82.
Q What is your post office address? A Paris, I. T.
Q Are you a Creek Freedman? A Yes, sir.
Q To what town do you belong? A Canadian Colored.
Q Do you represent that town in the Creek Council? A Yes, sir, I
am an old town king of Canadian Colored and have been for years.
Q Did you know a member of your town named Elizabeth Riley? A Yes,
sir.
Q How long has she been dead? A She has been dead now---she was
living when they commenced filling but she was sick and she was not
able to get out and she went off down to Brumhill to be doctored and
she died down there.
Q According to your best recollection how long has that been? A
About three years---maybe four years---I wouldn't be certain.
Q Do you know in what year she died? A I don't know that.
Q Do you know in what month or in what time of the year she died?
A I think it was in the month of March. It was after Christmas. I
think the date of her death is on the head-piece of her grave.
Q Where is she buried? A Right in the neighborhood of Brumhill.
Q Do you remember the circumstance of the opening of the Greek Land
Office? A Yes, sir, I order I was the first man filled.
Q Did Elizabeth Riley die before or after the opening of the Greek
Land Office? A After. When I filled she was living.
Q How long after the opening of the Greek Land Office did she die?
A I can't tell really good.
Q Was it as much as a year after the opening of the land office? A
It might be and it mightn't.
Q How long was it after the opening of the land office that you
filled? A Three or four months.
Q At that time she was living was she? A Yes, sir.
Q Are you positive of that? A Yes, sir. I took her in my buggy
and carried her part of the way to Okmulgee to the Doctor and at that
time I had filled upon my land.
Q Why didn't she go and select her land at the same time you did? A
She was not able.
Q Why didn't some of her relatives file for her? A They all left
it for the father to do and the old man been slow from that day and
he is slow to-day.
Q Was Elizabeth dead when her father made selection of land for
himself and family? A I think she was but the filling was going on
a year or more when she died.
Q Why didn't you make selection for her when he made selection
for himself? A Well, she was slow, she was slow, that is the truth---
slowly.
Q What relation was Elizabeth Riley to you? A Me and Levi Riley
are first cousins and that would make Elizabeth second cousin to me.
Q How long has it been since Levi filled upon his land? A I ain't
able to tell.

Q Where did you get the date of her death when you executed the affidavit? A I recollected it then. It had not been very long.
 Q How long after she died did you execute that affidavit? A I couldn't tell you--I don't know.
 Q What is Aaron Brunner's post office? A There, same as mine.
 Q With whom was Elizabeth living when she died? A With her father but she didn't die there.
 Q Have they lived upon their own land? A Yes, sir.
 Q Why didn't they live for her at the time they lived for themselves? A I don't know, sir. I think they had to prove her mother was a Spanish woman. I think she belonged to Little River town.
 Q How long before Elizabeth died did her parents live on their land? A I don't know, sir. I know it has not been very long since her mother died.
 Q How long has it been since her father died? A He died two or three years ago.
 Q Was Elizabeth living then? A No, sir, she was dead when her father died.
 Q That was two or three years ago? A Yes, sir.

Reference is made to Greek Freedman Card 1884.

---000000---

I, D. C. Briggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 18 day of November, 1884.

Notary Public.

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DA. 28.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 10, 1904.

In the matter of the application for the enrollment of Elizabeth Riley, deceased, as a Creek Freedman.
ROBERT TAYLOR, being duly sworn, testified as follows:

BY COMMISSIONER:

Q What is your name? A Robert Taylor.
Q How old are you? A Thirty-seven.
Q What is your post office? A Pato.
Q Are you a Creek Freedman? A Yes, sir.
Q What town do you belong to? A Canadian.
Q Did you know Elizabeth Riley? A Yes, sir.
Q Is she living? A No, sir.
Q Is she dead? A Yes, sir.
Q When did she die? A I just forgotten--sometime in the winter time three or four years ago. I think about it, it might come to my memory.
Q Do you know what year? A No, sir.
Q Do you know what month? A It seems to me like it was in December either in January or December.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Do you know what year it was? A No, sir.
Q Do you know whether or not Elizabeth Riley died before or after the opening of the Creek Land Office? A It was pretty close together. I don't know which--it seems to me like the filing was going on.
Q How long has the filing been going on? A I think the filing commenced in the Spring and she died in the winter-time.
Q Was that before or after the opening of the land office? A It seems to me it was after the land office opened. I didn't pay any attention to the two occurrences but it seems to me it was after the land office opened.
Q What relation was she to you? A She was some kin but I don't know.
Q Have you ever given any information about her before the Commission? A Yes, sir, I did give information to the Commission shortly after she died--about a year after she died I think.
Q Did you give testimony? A Yes, sir.
Q You appeared before the Commission and gave testimony? A No, sir, I didn't give testimony, I executed an affidavit or something in regard to it.
Q When did you select land for yourself? A 1901 I think it was.
Q How long had Elizabeth Riley been dead when you filed on your land? A I don't know--I never thought of that. I don't know just exactly when I did file but I believe I filed in the fall.
Q How long was that after she died? A I don't know for certain.
Q About how long? A As close as I would guess it was nearly a year after she died.
Q Had she filed upon her land at the time she died? A I don't know, sir, whether she ever filed or not.
Q How old was she when she died? A I don't know. I was a little older than her brother and she was next to her brother. She was a been near twenty-six or so.
Q Was she ever married? A No, sir.
Q Do you know of any one who knows when she died? A Aaron Brown knows. We were at her funeral but I have forgotten the date.
Q Was there a record made of her death? A I don't know whether there was or not.

CR EN 823

CR EN 823

Post Office: American Fork, Utah

Green Nation. Green Roll

Field No. 2841
Card No. _____

| Dawes' Roll No. | NAME. | Relation to Person first Named. | AGE. | SEX. | BLOOD. | TRIBAL ENROLLMENT. | | | TRIBAL ENROLLMENT OF PARENTS. | | |
|-----------------|-------------------|---------------------------------|-----------|----------|------------|--------------------|---------------------|------------|-------------------------------|---------------------|-------------------|
| | | | | | | Year. | District. | No. | Year. | District. | Name of Mother. |
| | <u>John Green</u> | | <u>20</u> | <u>M</u> | <u>1/2</u> | <u>1892</u> | <u>Indianapolis</u> | <u>723</u> | <u>1892</u> | <u>Indianapolis</u> | <u>John Green</u> |
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Charles Green a daughter of Green & John Green

May 23, 1901

No. 882

Muskogee, Indian Territory, September 27, 1905.

Charity Smith,

Welch, Indian Territory.

Dear Madam:

You are hereby advised that under date of September 19, 1905, the Department affirmed the decision of the Commission to the Five Civilized Tribes, dated June 14, 1905, denying the application made by you for the enrollment of your mother, Ellen Bird, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Commissioner.

No. 882

Managers, Indian Territory, September 27, 1905.

M. L. Mott,

Attorney for the Creek Nation,

Managers, Indian Territory.

Dear Sir:

You are hereby advised that under date of September 19, 1905, the Department affirmed the decision of the Commission to the Five Civilized Tribes, dated June 14, 1905, denying the application of Charity Smith for the enrollment of her mother Ellen Bird, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Commissioner.

KN 882

Refer in reply to the following

Land
49882-1905

Department of the Interior,

Office of Indian Affairs,

Washington. July 19, 1905

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated June 26, 1905, transmitting the record of the application for enrollment as a citizen by blood of the Creek Nation by Charity Smith for her mother, Ellen Bird, deceased.

June 14, 1905, the Commission decided adversely to the

application.

The record shows that Ellen Bird died prior to April 1, 1899.

In view of the record the approval of the Commission

decision adverse to the application is recommended.

Very respectfully,

C. F. Larrabee
Acting Commissioner

M M M
W

KN 852

DEPARTMENT OF THE INTERIOR,
Washington September 19, 1905

I T D 8804-1905
LRS

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory

Sir:

June 28, 1905, the Commission to the Five Civilized Tribes transmitted the record of the application of Charity Smith for the enrollment of her mother, Ellen Bird, deceased, as a citizen by blood of the Creek Nation, including the decision of the Commission dated June 14, 1905, denying said application. July 19, 1905, the Acting Commissioner of Indian Affairs reporting thereon, recommended that the decision of the Commission denying said application be affirmed. A copy of his letter is inclosed.

The Department concurs in the recommendation made and the decision of the Commission to the Five Civilized Tribes dated June 14, 1905, denying the application of Charity Smith for the enrollment of her mother, Ellen Bird, deceased, as a citizen by blood of the Creek Nation is hereby affirmed.

Respectfully,

Thos Ryan
Acting Secretary

1 inclosure

Cr. No. 852.

Muskogee, Indian Territory, June 26, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings
in the matter of the application for the enrollment of Hilen Bird,
deceased, as a citizen of the Creek Nation, including the decision
of the Commission, dated June 14, 1906.
Respectfully,

Chairman.

Through the

Commissioner of Indian Affairs.

IX-6-26-845.

Gr. Kn. 888.

Muskogee, Indian Territory, June 26, 1905.

M. L. Kott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Ellen Bird, deceased, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

IM-6-24-848.

Gr. Ind. 188.

Muskogee, Indian Territory, June 26, 1905.

Charity Smith,

Wesley, Indian Territory.

Dear Madam:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of your mother, Ellen Bird, deceased, as a citizen of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

Register.
IM-6-24-241.

E.C.O.

No. 882.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

--:O:--

In the matter of the application for the enrollment of Ellen Bird, deceased, as a citizen by blood of the Creek Nation.

--: D E C I S I O N :--

The record in this case shows that on June 21, 1904, Charity Smith made application before the Commission, at Checotah, Indian Territory, for the enrollment of her mother, Ellen Bird, deceased, as a citizen by blood of the Creek Nation. Further proceedings were had November 10, 1904, January 10, January 18, and January 19, 1905. The evidence shows that said Ellen Bird, deceased, died prior to April 1, 1899. It is, therefore, the opinion of the Commission that there is no authority of law for the enrollment of said Ellen Bird, deceased, as a citizen by blood of the Creek Nation, and that the application for her enrollment as such should be denied, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Waukegon, Indian Territory,
JUN 14 1905

DA. 126.

I, D. O. Shaffer, do hereby state that the above and foregoing is a
true and true transcript of my stenographic notes as taken in said
cause on said date.

W. C. Shaffer

Subscribed and sworn to before me this 14 day of November, 1904.

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 10, 1904.

In the matter of the application for the enrollment of Ellen Bird as a citizen by blood of the Creek Nation.

GEORGE WALKER, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A George Walker.
Q How old are you? A About twenty years old.
Q What is your post office? A Wesley.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Tuckabatchee.
Q Do you know Ellen Bird? A Yes, sir.
Q Is she living or dead? A She is dead.
Q How long has she been dead? A About six years.
Q Do you know in what month she died? A No. I don't know what year she died in but she has been dead about six years. I never paid much attention to it.
Q Do you remember when the Creek Land Office opened? A Yes, sir.
Q When they were surveying the land off she was living then and they was just fixing to quit when she died.
Q Did she die before the opening of the Creek Land Office? A That is what I don't know. She might have died before that and she might not. I never paid much attention to it. I think she died a little after the opening but she didn't file.
Q Do you know of any one that filed on his land when she died? A Well there was lots of people--a thousand of them filed when she died. I couldn't say of any one right around me that filed.
Q What relation was she to you? A She was my mother--she was my main mother.
Q Do you know what time of the year she died? A No, sir, I don't know that. I could of known it if I thought it was any use but I never thought it was any use. I used to have it on a book but I threw it away--didn't think it was any use and I couldn't recollect it now.
Q Are you positive that she has been dead about six years? A Yes.
Q Have you filed on your land? A Yes, sir. I didn't file but I was working for Jim Barnett and some fellow that filed me any old place. It was a Choctaw fellow--he wasn't any kin to me.
Q How long was that after your mother died? A That has been here lately--about two years ago since I filed.
Q How long had your mother been dead when land was selected for you? A She had been dead about four years I guess.
Q Have you any brothers and sisters? A Yes, sir.
Q Are they living? A Yes, sir, all but one. She was about ten years old but she is filed.
Q When did she die? A About two and a half years ago.
Q How old was that child when your mother died? A She was about six or seven years old. She was big enough to walk and talk too.
Q What was her name? A Stella Bird but she is filed as Stella Stevens.
Q How long had your mother been dead when Stella died? A It had been three or four years.
Q Do you know any one who could give the Commission definite information about the death of your mother? A No I don't. Both my sis and I would know something about it. They had the numbers down when she died but they have died. Dick Barnett would know when she died and Penny Robinson would also know when she died.
Q What are their post offices? A I don't know. Dick Barnett lives his mail here. Penny Robinson lives at Hartselle I guess.

opened? A Yes, after it was opened.
 Q You are positive are you that she died after the land office
 Q Was that during Lepard's administration? A Yes, sir.
 kept the most of them back and I think that is what kept her back.
 she was chief them days and his instructions were not to file and that
 before she died? A There was not much people filing. Old papers--
 Q Do you know why she did not make selection of land for herself?
 believe it was after I filed that she died.
 court at New Orleans and came back and went on down to Muskogee---I

-----0:-----

cause on said date.
 a full and true transcript of my stenographic notes as taken in said
 E. D. C. Sparks, on oath state that the above and foregoing is

Subscribed and sworn to before me this 12 day of January, 1905.

W. H. H. H.
 Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., January 10, 1908.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Ellen Bird, deceased, as a citizen by blood of the
Greek Nation.

DICK FARRETT, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Dick Barnett.
Q How old are you? A Fifty-four or '5.
Q What is your post office address? A Wesley.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Canadian Colorado.
Q Did you know Ellen Bird? A Yes, sir.
Q She is dead is she? A Yes, sir.
Q To what town did she belong? A Thompson.
Q When did she die? A I couldn't tell exactly but she died a
good while after the Commission was at Okmulgee enrolling people--
it was after the last time the Commission was camped at Okmulgee
enrolling people.
Q About how long after? A It may have been about a year after. I
don't know particular but it was a good while after they was out
there.
Q How old was she when she died? A Well, I don't know--she was
about twenty-five or thirty--somewhere about that.
Q About how many years ago has that been? A It is between five
and six years ago.
Q Do you know in what time of the year she died? A I was towards
Fall--she sent for us and it was pretty cold.
Q Were you present when she died? A No, sir.
Q Were you present at the funeral? A No, sir.
Q Do you know whether or not a record was made of her death? A I
don't know--I think there was. She has a brother that is living and
we always have it the custom to put the time when any one is dead to
put the time on the head-piece and I think he did, but he can tell
more about it than I can.
Q What is his name? A Dave Barnett.
Q Where does he live? A He lives right where the Frisco crosses
Red Creek.
Q What is his post office address? A Well, I don't know whether he
gets his mail at Wesley or Henrieville but I think Wesley.
Q Where was Ellen Bird buried? A On Red Creek near Dave Barnett's.
Q Do you remember the circumstance of the opening of the Greek Land
Office? A Yes, sir.
Q Do you remember when people first began to go to Muskogee and
filling on their land? A Yes, I remember that.
Q Do you know whether she died before or after that? A She died
after.
Q How long after? A I couldn't say. I did remember what year the
land office opened but I have forgot. The Commission was out there
and camped once and went back and then came out there and was camped
east of Okmulgee and it was after that, that she died.
Q Do you know any one who had filed on his allotment at the time
she died? A No, sir.
Q When did you file upon your land? A It was 1901 I think.
Q How long was that after Ellen Bird died? A I don't remember.
Q According to your best recollection? A I kinder believe that
Ellen died after I filed--Yes, I believe it was for I went up to

En. 822.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
DUSTIN, I. T., JANUARY 12, 1905.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Ellen Bird, deceased, as a citizen by blood of the Creek
Nation.

WILLIE McQUEEN, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Willie McQueen.
Q How old are you? A Thirty or thirty-one.
Q What is your post office address? A Dustin.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Thlophlocoo.
Q Did you know Ellen Bird? A Yes, sir, she was my wife.
Q She is dead is she? A Yes, sir.
Q When did she die? A She died in the year of 1896, but I couldn't
tell you the date of the month.
Q Was that during Ishpach's administration? A Yes, sir.
Q Do you know whether or not Josiah Jones was Judge at that time?
A Yes, sir.
Q Do you remember the circumstances of the opening of the Creek land
office? A Yes, sir.
Q Did Ellen die before or after the opening of the land office?
A She died before the opening of the land office.
Q Are you positive that she died in 1896? A Yes, sir.
Q Have you any children by your second wife? A Yes, sir, I have
one living--a little girl.
Q How old is she? A I think she is seven years old.
Q How long after the death of Ellen was it that you married your
second wife? A About a year after she died.
Q To what town did she belong? A Tukabatche.
Q Who were her parents? A Sam and Mary Barnett.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of stenographic notes as taken in said
examination on said date.

Subscribed and sworn to before me this 3 day of February, 1905.

D. C. Skaggs
Notary Public.

No. 388-2

I, D. G. Hagan, do hereby state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said case on said date.

D. G. Hagan

Subscribed and sworn to before me this 2 day of February, 1900.

Levin L. Smith
Notary Public

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., January 18, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Ellen Bird, deceased, as a citizen by blood of the
Greek Nation.

JOSEPH LONEY, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Joseph Loney.
Q How old are you? A About fifty-five.
Q What is your post office address? A Wesley.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Arkona North York.
Q Did you know Ellen Bird? A Yes, sir.
Q She is dead is she? A Yes, sir.
Q Do you know how long she has been dead? A She has been dead six
or seven years.
Q Do you remember the circumstance of the opening of the Greek land
Office? A Yes, sir.
Q Did Ellen Bird die before or after the opening of the Greek land
Office? A She died before--I cannot say in what year it was she
died but I know she died before the land office opened.
Q How long before the land office opened do you think it was that
she died? A About two years.
Q Was she a neighbor of yours? A Yes, sir.
Q Was she married? A Yes, sir.
Q Who was her husband? A Willie McGowan.
Q What circumstance fixes it in your mind that she has been dead six
or seven years? A Because Willie McGowan married again after she
died and has two or three children by his second wife.
Q What are the names of his children by his second wife? A He has
one child about five years old, by his second wife. I do not know
the names of any of his children.
Q Did Ellen have any children? A Yes, sir.
Q How many? A She has two children living, George Willie and Joe
Bird.
Q Who were Ellen's parents? A Elah and Mary Barnett.
Q Are they living? A Elah is dead.
Q How long has he been dead? A He has been dead about five years.
Q Did he die before Ellen? A Ellen died first.
Q How long before her father died did she die? A About a year
before.
Q Do you know whether or not Elah Barnett had made selection of land
at the time he died? A He had made no selection of land at the time
he died and as far as I know no selection of land has been made for
him.
Q You are positive are you that Ellen died before the opening of the
Greek land Office? A Yes, sir.
Q Were you present at either her death or burial? A I was taken to
New York District at the time she died and was away from home on
official business and was not present when she was buried.
Q That was before the Tribal Court was abolished was it? A Yes,
sir. That circumstance also fixes it in my mind that she died before
the opening of the Greek land Office. It was about the last year of
Lester Berryman's last administration.

Q Did you have a physician in attendance at the time of Ellen Bird's death? A Had an Indian doctor.
 Q Where was she living at the time of her death? A Where my Grand-mother lives. There was no town there then but Benora; about 7 miles from Benora; 2 miles from Weetka.
 Q Did you buy a coffin for Ellen's burial? A No, they made one for her.
 Q Who was present when your mother died besides yourself? A Joe Loney and Dave Barnett- they are living- Joe Aubury and all that was there they died; Willie McGowan was there.
 Q Is Billy McGowan living? A Yes sir.
 Q What is Dave Barnett's best office? A Weetka; and Joe Loney's, and Billy McGowan's too.

Henry G. Haines being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Haines

Subscribed and sworn to before me this 1st day of July, 1904.

Oliver C. Clarke

Notary Public.

[Signature]

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHEROKEE, I.T. June 21, 1904.

2941
In the matter of the application for the enrollment of Ellen
Bird as a citizen by blood of the Creek Nation.

Charity Smith being duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Charity Smith I guess.
Q Have you been married? A Yes sir. Before I was married it was
Charity Grayson.
Q State your name, age and post office address? A Charity Smith;
St. Westlake.
Q Are you a citizen of the Creek Nation? A Yes sir.
Q To what Creek Indian town do you belong? A Tuckabatchee.
Q Under what name are you enrolled by the Commission? A Charity
Smith. (See roll No. 5824.)
Q For whom do you make application for enrollment? A My mother.
(Witness testifies partly through Amos McIntosh, official interpreter.)
Q What was her name? A Ellen Bird.
Q Is she living? A No sir; dead.
Q Did she ever go by the name of Ellen Seber? A Yes sir.
Q Who was Seber? A Seber's father's name was Mrs. Hutto; in the
place of Joe Bird they put down Joe Seber; that's where they made a
mistake but mine and my brother is right.
Q To what Creek Indian town did Ellen Seber belong? A Tuckabatchee.
The 1890 pay roll of the Creek Nation, page 237, examined and
the name Ellen Seber found enrolled thereon as Allen Cedar.
Q When did Ellen Bird die? A On the 17th of August but I don't
know what year.
Q Did you write the date of her death down in a book anywhere?
A It's upon the rock; upon the headboard.
Q Where is she buried? A About 3 miles from Westlake.
Q What was your mother's father's name? A Stan Barnett.
Q What was her mother's name? A Mary Barnett.
The records of the Commission show that Ellen Bird is listed
for enrollment on Creek Indian roll No. 2941.
Q Is Mary Bird living? A Yes sir.
Q How many years has Ellen Bird been dead? A I don't know; but
it was while the Commission was at Okmulgee; it was after the land
office opened and they was at Okmulgee; when the Commission was en-
rolling and filling out; she died when they went back to Muskogee; but
I know she died when they was filling.
Q Is the tombstone still at the head of Ellen Bird's grave? A I
guess it is; it was there when I was there last; last July; if you
will come up there I will be there and I will take you down there and
you can see it; my grandmother lives only about 300 yards from the
graveyard; Dave Barnett knows; Mary lives about 3 miles from Barnett.

CR EN 822

CR 822

Cr En 881

Muskogee, Indian Territory, August 9, 1905.

Trorer K. Barnett,

Wotumka, Indian Territory.

Dear Sir:

You are hereby advised that the name of your deceased minor child, Willie Barnett, is contained in the partial list of citizens by blood of the Creek Nation approved by the Secretary of the Interior July 31, 1905, and that application for a selection of land in the Creek Nation for the heirs of said child may now be made at the office of the Commissioner to the Five Civilized Tribes, in Muskogee, Indian Territory.

An entire allotment of 160 acres must be selected at the

time of the original application.

Respectfully,

Acting Commissioner.

36

~~36~~

Cr. No. 831.

Muskogee, Indian Territory, April 21, 1908.

M. M. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Willie Barnett, deceased, as a citizen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be allowed fifteen days from the date hereof within which to protest against said decision, and if, at the expiration of that time, no such protest has been made, said Willie Barnett will be regularly listed for enrollment as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

YM-4-21-78.

8.18.1903

Muskogee, Indian Territory, August 14, 1903.

Trucker Barnett,

Wesleyka, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of August 11,

1903, inclosing affidavits in the matter of the birth and death of your child, Willie Barnett. It is stated that she was a Creek Indian. You ask if said affidavits are sufficient proof to enable you to file for the said Willie Barnett.

In reply you are advised that the Commission desires further evidence in the case and that it will be necessary for you to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses, who know the date of the birth and death of said child, for the purpose of being examined under oath.

Respectfully,

Commissioner in Charge.

INDEXED

9

The Death of
In Re

Willie Barnett

a citizen of the same Nation

Approved

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

FILED

August 14, 1903.

CHAMAN.

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes,

In the matter of the death of Millie Barnett, the infant child of Cilla Barnett, who was the lawful wife of Tucker K. Barnett, who resided near Weleetka I.T. is now situated.

UNITED STATES OF AMERICA
INDIAN TERRITORY
WESTERN DISTRICT
Affidavit of relationship

I, *William J. Barnett*, on oath
state that I am years of age and a citizen by blood of
the Creek Nation;
That my Post Office address is I.T.
That I am of
who was a citizen by blood of the Creek Nation;
That I was present when my sister Cilla Barnett was buried, and
took her infant, Millie Barnett and used my best endeavors to raise it;
That the said infant, Millie Barnett, died on the 12th day of Dec.
1900
That the said Cilla Barnett, mother of the said infant, Millie Barnett
was a citizen of the Creek Nation, and the lawful wife of Tucker K. Bar-
nett who is also a citizen by blood of the Creek Nation;
That the said Cilla Barnett had no other child or children but the
said Millie Barnett;

Witness my hand and seal this 20th day of July 1903.
Wm. J. Barnett
Notary Public
My Comm. Expires 8/1/05
Witness my hand and seal this 20th day of July 1903.
Wm. J. Barnett
Notary Public

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes,

In the matter of the death of Willie Barnett, minor daughter of Tucker K. Barnett and Gilla Barnett, citizens by blood of the Creek Nation, who resided near where Weleetka I.T. is now located. Said Willie Barnett died on the 19th day of Dec. 1900.

Affidavit of acquaintance.

UNITED STATES OF AMERICA)
Indian Territory)
WESTERN DISTRICT)

I, *James H. Parker*, on oath state that I am Years

of age and a citizen by blood of the Creek Nation;
that my Post Office address is I.T.
that I am personally well acquainted with Tucker K. Barnett, and
knew his wife Gilla Barnett in her life time, and know of my own personal
knowledge that they had at the time the said Gilla Barnett died, a girl
baby living.

that said child was named Willie Barnett, and died on the 19th
day of Dec. 1900, at the home of its aunt,
who resides near where Weleetka is now located.

James H. Parker
.....

Subscribed and sworn to before me the .. day of .. 1902
My commission expires.....
Notary Public

Commissioner of Indian Affairs, Washington, D.C.

DEPARTMENT OF THE INTERIOR

Commission to the Five Civilized Tribes

In the matter of the death of Willie Barnett, the infant child of Cilia Barnett, who was the lawful wife of Tucker K. Barnett, who resided near

Wesley, Ind. Ter.

Affidavit of Acquaintance

INDIAN TERRITORY)
WESTERN DISTRICT)

I, *John L. ...* on oath state that I am
..... years of age and a citizen by blood of the Greek Nation;
That my Post Office address is, *Wesley, Ind.*
That I am personally well acquainted with Tucker K. Barnett, and
knew his wife Cilia Barnett in her life time, and know of my own personal
knowledge that they had at the time ~~the time~~ the said Cilia Bar-
nett died, a girl baby living.
That the said child was born on the 18th day of June 1900, and
was named Willie Barnett and is now dead.
That I lived within a half mile of the home of the said Tucker
K. Barnett, and am not related to him or any of his family, and have no
interest in this case.

John L. ...

Witness to ...

Subscribed and sworn to before me this 22nd day of July 1903
At ...
My Comm. Expires 8/1/04
Notary Public

DEPARTMENT OF THE INTERIOR.
 Commission to the Five Civilized Tribes,
 IN RE Application for the enrollment, as a citizen of the Creek Nation,
 of Willie Barnett, born on the 15th day of June 1900.
 Name of father: Tucker K. Barnett, a citizen of the Creek Nation.
 Name of mother: Gilla Barnett, a citizen of the Creek Nation.
 Post Office, Weleetka I.T.

Affidavit of father

INDIAN TERRITORY)
 WESTERN DISTRICT)

I, Tucker K. Barnett, on oath state that I
 am 42 years of age and a citizen by blood of the Creek Nation;
 That I was the lawful husband of Gilla Barnett, who was a citi-
 zen by blood of the Creek Nation, when a female child was born to her on
 the 15th day of June 1900:
 That said child was named Willie Barnett, and is now dead.
 That said child (Willie Barnett) died on the 15th day of Dec.
 That Gilla Barnett died on the 18th day of Sept. 1900
 Subscribed and sworn to before me this 17 day of July 1903
 My com. expires 8/1/05
 Notary Public

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes,

In the matter of the enrollment of Willie Barnett as a citizen of the
Creek Nation: Name of father; Tucker K. Barnett; Name of mother, Gilla
Barnett, citizens by blood of the Creek Nation.

UNITED STATES OF AMERICA)
Indian Territory)
WESTERN DISTRICT)

I, *Maggie Barnett*, on oath state that I am
years of age and a citizen by blood of the Creek Nation;

That I was present ~~at the time~~ when a female child was born

to Gilla Barnett on the *12th* day of *June*, 1900

That said child was said to have been named Willie Barnett and

is now dead

That my Post Office is *Wahkiakum* I.T.

Subscribed and sworn to before me the *24th* day of *July*, 1903

M. G. Con. Expires 8/1/04
Notary Public

COMMISSION TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

No. 851.

--:O:--

In the matter of the application for the enrollment of
Willie Barnett, deceased, as a citizen by blood of the Creek Nation.

--: D E C I S I O N :--

The record in this case shows that on August 14, 1903, the
affidavit of Tucker Barnett relative to the birth and death of his
minor child, Willie Barnett, was filed with the Commission at
Muskogee, Indian Territory, which said affidavit is considered
by the Commission as an application for the enrollment of said
Willie Barnett, deceased, as a citizen by blood of the Creek Nation.
Further proceedings were had at Weleetka, Indian Territory,
November 9, 1904.
The evidence shows that said Willie Barnett, deceased, is
the minor child of Tucker and Gilla Barnett, whose names are con-
tained in a partial list of Creek citizens by blood, approved by
the Secretary of the Interior, March 28, 1902, Numbers 4379 and
4380, respectively; that said applicant, Willie Barnett, was born
June 15, 1900, and died December 19, 1900.
It is, therefore, the opinion of the Commission that said
Willie Barnett, deceased, should be enrolled as a citizen by
blood of the Creek Nation in accordance with the provisions of
the act of Congress March 1, 1901 (31 Stat. 851), and it is so
ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
APR 20 1905

M.C.G.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

No. 851.

--:0:--

In the matter of the application for the enrollment of
Willie Barnett, deceased, as a citizen by blood of the Creek
Nation.

--: SUPPLEMENTAL STATEMENT:--

The records of the Commission examined and the names of
Tucker and Cilla Barnett, father and mother of said Willie
Barnett, deceased, are contained in the partial list of Creek
citizens by blood, approved by the Secretary of the Interior
March 28, 1902, listed on Creek Indian Card, Field Number 1250,
Roll Numbers 4979 and 4980, respectively.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Commissioner.

Muskogee, Indian Territory,
January 26, 1902.

HA. 9.-----3.

BY MR. MORTON:

Q You made this after she died but you made it the same year that she died? A Yes, sir, the same year. I try to make it as close as I can.
Q Did you make these other entries at that time or did you make them before? A I made them a long time before.

BALLIE LOWE, being recalled, testified as follows:

BY COMMISSION:

Q How long have you known Tucker Barnett and his family? A I raised his wife as an orphan and I have known Tucker ever since he was a boy.

---00000000---

I, D. C. Shaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 17 day of November, 1904.

Notary Public.

The witness presents a pocket memorandum-book in which the following entry appears:
 "Cilla Barnett Y.A. 22 died Sept. 18. Yr. 1900. The child of her born on June 15, Y. 1900, died December 19, name Millie Barnett."
 The record of the age of himself and family appears on the same page.
 The last of the memorandum-book upon which the record appears is detached and made part of the record in this case.

Q Did you make this record yourself? A Yes, sir.
 Q When did you make the record in regard to the birth and death of Millie? A I made the record of her birth right after she was born.
 Q Did you make the record of her death at the time she died? A Yes, sir, December 19.
 Q What year? A In the same year she was born.
 Q Do you keep a record of the birth and deaths of your family? A Yes, sir.
 Q How many days after the child was born did you make the record in regard to her birth? A The next day.
 Q How many days after the death of Millie did you make the record of her death? A Just the next day.

SALLIE LOWE, being recalled, testified as follows:

BY COMMISSION:

Q Are you a neighbor of Tucker Barnett? A Yes, sir.
 Q How far do you live from him? A At the time Millie died I lived less than a mile.
 Q Were you present when Millie died? A No, sir, I was sick at the time and heard that she died.
 Q Were you present at her funeral? A No, sir, I was still sick and unable to attend.

TUCKER BARNETT, being recalled, testified as follows:

BY MR. MORTON:

Q In making your statement about the record of this child's birth are you positive you made the record of this child's birth at the time it was born or was it sometime after? A It was the same time.
 Q It was born in the evening and I made the record the next morning.
 Q You made it the next morning? A Yes, sir.
 Q Are you right sure? A Yes, sir, I am not lying about it.
 Q I know you are not lying but there seems to me that you have got it mixed in your mind? A I am right sure about it.
 Q Isn't it a fact that you made it after Cilla died? A I made it before she died.
 Q Do you remember how long Cilla lived after this child was born? A I couldn't tell exactly.
 Q She died before the child died didn't she? A Yes, sir.
 Q Is this the same identical record that you made at that time or did you make a memorandum somewhere else and put it down here? A That is the same one.
 Q Did Cilla die the same year the child died? A Yes, sir.
 Q But she died before the child died? A Yes, sir.
 Q You think about that right good. Just come right down and think about it. You have got those dates mixed up in your mind. Is it not a fact that you didn't make this record until after Cilla died? A Yes.
 Q You made this record after Cilla died and not right after the child was born? A I made the record after she died.

BY COMMISSION:

Q You made it after Cilla died? A Yes, sir.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 9, 1904.

In the matter of the application for the enrollment of Millie Barnett, deceased, as a citizen by blood of the Creek Nation.

APPEARANCES: O. A. Norton, Atty. for Applicant.

SALLIE LOWE, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Sallie Lowe.
Q How old are you? A I do not know my age but I was a young girl before the Civil War.
Q What is your post office? A Wesley.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Arvane.
Q Did you know a child of Tucker K. Barnett and Gilla Barnett named Millie Barnett? A Yes, sir.
Q Is that child living? A Dead.
Q How long has it been dead? A The child has been dead about four years.
Q Do you know in what year it died? A It died December 19, four years ago.
Q Do you know when the child was born? A The child was born June 15, four years ago.
Q How old was the child when it died? A It was born June 15 and died December 19, of the same year.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q When was the land office opened? A The land office was opened before the child was born.
Q How long before the child was born was the land office opened? A I do not know.
Q Are you positive that the child was born and died four years ago? A Yes, sir.
Q Was it born the same year the land office opened? A I do not know. I only know that the child was born and died four years ago. I made no record of its birth and death. I only know that the child was born and that I made Bine dumpings.
Q Did any one ever make a record of the birth and death of the child? A The father perhaps made a record by I am not certain.

TUCKER BARNETT, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Tucker Barnett.
Q How old are you? A About forty-seven.
Q What is your post office address? A Wesley.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Tuckabatchee.
Q Did you have a child named Millie Barnett? A Yes, sir.
Q The child is dead is it? A Yes, sir.
Q You have testified in this case before have you? A I sent an affidavit to the Commission.
Q Who is the mother of Millie? A Gilla Barnett. She died.
Q When did Millie die? A She died December 19.
Q What year? A 1900.
Q When was she born? A Born---I got it down here.

CR EN 821

CR EN 821

En. 880.

Muskogee, Indian Territory, August 15, 1908.

M. L. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby notified that under date of August 8, 1908, the Department affirmed the decision of the Commission to the Five Civilized Tribes, dated June 14, 1908, denying the application for the enrollment of Belsetka and Annie Proctor, both deceased, as citizens by blood of the Creek Nation.

Respectfully,

Acting Commissioner.

✓
En. 650.

Muskogee, Indian Territory, August 12, 1905.

Huliy Proctor,

Dustin, Indian Territory.

Dear Sir:

You are hereby advised that under date of August 12, 1905, the Department affirmed the decision of the Commission to the Five Civilized Tribes, dated June 14, 1905, denying the application made by you for the enrollment of your minor children, Bejaska and Annie Proctor, both deceased, as citizens by blood of the Creek Nation.

Respectfully,

Acting Commissioner.

Refer in reply to the following:
Land: 49880-1905.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, July 20, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated June 26, 1905, transmitting the record of the application for enrollment as citizens by blood of the Creek Nation by Hully Proctor for his minor children, Selsekka and Annie Proctor, both deceased. June 14, 1905, the Commission decided adversely to the application.

The record shows that both Selsekka and Annie Proctor died prior to April 1, 1899. In view of the record the approval of the Commission's decision adverse to the application is recommended.

Very respectfully,

C. F. LARabee,

Acting Commissioner.

M. M. W.

4820

GR. ILL. IRR.

I.T.D. 8828-1905.

DEPARTMENT OF THE INTERIOR,
WASHINGTON, August 8, 1905.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

June 26, 1905, the Commission to the Five Civilized Tribes transmitted the record of the application of Hully Proctor for the enrollment of his minor children, Seleeta or Billy Proctor (deceased) and Iney or Annie Proctor (deceased) as citizens by blood of the Creek Nation, including the decision of the Commission dated June 14, 1905, denying said application.

July 20, 1905, the Acting Commissioner of Indian Affairs reporting thereon, recommended that the decision of the Commission dated June 14, 1905, denying said application be affirmed. A copy of his letter is inclosed.

The Department concurs in the recommendation made and the decision of the Commission dated June 14, 1905, denying the application of Hully Proctor for the enrollment of his minor children, Seleeta or Billy Proctor (deceased) and Iney or Annie Proctor (deceased) as citizens by blood of the Creek Nation is hereby affirmed.

Respectfully,

(Signed) Thos. Ryan,

Acting Secretary.

1 inclosure.

Wm. 850.
Greek

Muskegon, Indian Territory, June 26, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings
in the matter of the application for the enrollment of Beloshka
and Annie Proctor, both deceased, as citizens by blood of the
Greek Nation, including the decision of the Commission, dated June

14, 1905.

Respectfully,

Chas. W. Smith.

Through the

Commissioner of Indian Affairs.

WM-6-26-249.

CrEn.860.

Muskogee, Indian Territory, June 26, 1905.

M. V. Nott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Selieka and Annie Proctor, both deceased, as citizens by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

IM-6-26-248.

OT. M. 850.

Muskogee, Indian Territory, June 28, 1908.

Huliy Proctor,

Garson, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of your minor children, Seleste and Annie Proctor, deceased, as citizens by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

Register.
IM-6-28-247.

8/16

D.C. 91 & 92.

Muskogee, Indian Territory, January 20, 1904.

HULLY PROCTOR,

Carbon, Indian Territory.

Dear Sir:

There are on file with the Commission affidavits executed by you relative to the deaths of your children, Belstock and Annie Proctor, who, it is claimed, are entitled to enrollment as citizens of the Creek Nation. It is desired that further evidence be submitted in the case.

You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the dates of their death, for the purpose of being examined under oath.

Respectfully,

Commissioner in Charge.

BEST AVAILABLE COPY
- POOR ORIGINAL -

K.C.G.

COMMISSION TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR,

Cr. No. 850.

-:0:-

In the matter of the application for the enrollment of Sisseton
Proctor, deceased, and Annie Proctor, deceased, as citizens by blood
of the Creek Nation.

-: D E C I S I O N :-

The record in this case shows that on January 6, 1903, the
affidavits of Emily Proctor, relative to the death of his minor
children, Sisseton and Annie Proctor, were filed with the Commission
at Muskogee, Indian Territory, which said affidavits are considered
by the Commission as an application for the enrollment of said
Sisseton Proctor, deceased, and Annie Proctor, deceased, as citizens
by blood of the Creek Nation.

Further proceedings were had November 9, 1904, and January 20,

1905.
The evidence shows that said Sisseton Proctor, deceased, and
Annie Proctor, deceased, died prior to April 1, 1905.
It is, therefore, the opinion of the Commission that there
is no authority of law for the enrollment of said Sisseton Proctor,
deceased, and Annie Proctor, deceased, as citizens by blood of the
Creek Nation, and the application for their enrollment as such
should be denied, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
JUN 14 1905

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Dustin, I. T., January 20, 1905.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Selsack and Annie Proctor, deceased, as citizens by
blood of the Greek Nation.

HULLIE PROCTOR, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Hullie Proctor.
Q How old are you? A About thirty-two.
Q What is your post office address? A Hanna.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q What town do you belong? A Weoguck.
Q Did you have two children named Selsack and Annie Proctor? A
Yes, sir.
Q They are dead are they? A Yes, sir.
Q Was Annie also known as Iney? A Yes, sir. Iney means Annie in
English.
Q When did she die? A I have heretofore given testimony about my
children and can state nothing more about it.
Q How long do you think it has been since Annie died? A According
to my best recollection I think Annie has now been dead about seven
years or thereabouts. Her mother has been dead about four years and
Annie died about three years before her mother.
Q Do you remember the circumstance of the opening of the Greek Land
Office? A Yes, sir.
Q Did Annie die before or after the opening of the Greek Land Office?
A She died before.
Q Are you positive that she died before the land office opened? A
Yes, sir.
Q Was Selsack known as Billy? A Yes, sir, he was known by both
names.
Q When did he die? A Selsack died nine days after Annie died.
Q How old was Annie at the time of her death? A She was between
five and six years old.
Q How old was Selsack at the time of his death? A About two years
old.
Q What was the name of the mother of these two children? A Tennessee.

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I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 3 day of February, 1905.

[Signature]
Notary Public.

A. 22-22.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesleyka, I. T., November 8, 1904.

In the matter of the application for the enrollment of Seleste and Annie Proctor as citizens by blood of the Creek Nation.
MARSEY HARTO, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:
Q What is your name? A Marsey Harto.
Q How old are you? A About twenty-eight.
Q What is your post office address? A Dettin.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Weoguke.
Q Did you know a child of Hulle Proctor named Seleste Proctor? A Yes, sir.
Q Is that child living? A Dead.
Q How long has it been dead? A It died sometime in 1898--in either July or August.
Q Did that child die before the Creek Land Office opened? A It died before the land office opened.
Q Do you know when the land office opened? A 1899.
Q Are you positive that this child was dead when the Creek Land Office opened? A Yes, sir.
Q What was the name of the child's mother? A Jennetta Proctor.
Q Did you know a child of Hulle and Jennetta Proctor named Annie? A Yes, sir.
Q Is that child living? A It is dead.
Q How long has it been dead? A It died about two weeks before Seleste died.
Q How old was that child when it died? A About six years old.
Q How old was Seleste when he died? A Between three and four years old.
Q Are you positive that both of these children died before the Creek Land Office opened? A Yes, sir.

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I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 17 day of November, 1904.

Notary Public.

CR EN 820

CR EN 820

POST-OFFICE: *W. H. ...*
RESIDENCE: *...*

Roll No. *...*

NAME

AGE SEX BLOOD

TRIBAL ENROLLMENT

Name of Father

Name of Mother

Year

Nation.

Roll.

CARD NO. *...*
FIELD NO. *...*

TRIBAL ENROLLMENT OF FATHERS

...

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En. 849

Muskogee, Indian Territory, January 9, 1907.

M. L. Mott,

Attorney for Creek Nation.

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that on December 29, 1906,

the Secretary of the Interior affirmed the decision of the

Commissioner to the Five Civilized Tribes denying the applica-

tion for the enrollment of Alice Smith, as a citizen of the

Creek Nation.

Respectfully,

Commissioner.

424

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

| |
|----------------------------------|
| REFER IN REPLY TO THE FOLLOWING: |
| No. 849 |
| |
| |

Muskogee, Indian Territory, January 9, 1907.

Hinty Smith,

Irene, Indian Territory.

Dear Madam:

You are hereby advised that on December 29, 1906, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes denying the applica-

tion for the enrollment of Alice Smith, as a citizen of the

Creek Nation.

Respectfully,

Commissioner.

DEPARTMENT OF THE INTERIOR.
Office of Indian Affairs.
Washington.

Land.
56644-1906.

December 22, 1906.

The Honorable,
The Secretary of the Interior.
Sir:

There is enclosed a report from the Commissioner to the Five Civilized Tribes, dated July 2, 1906, transmitting the record relative to the application of Alice Smith, deceased for enrollment as a citizen of the Creek Nation.

On April 25, 1901, Alice Smith, deceased, was listed for enrollment as a citizen by blood by the Commission to the Five Civilized Tribes. Further proceedings were had on October 26 and November 8, 1904, February 22, 28, and November 2, 1905. On June 28, 1906, the Commissioner held that the applicant was not entitled to such enrollment.

A preponderance of the evidence established the fact that the applicant died prior to April 1, 1899, a copy of the report of the Commission in the enrollment case of Molly Fixico, et al, dated June 14, 1905 is with the record. In view of the provisions of Section 28 of the act of March 1, 1901, (31 Stat. L. 861) adverse to the applicant is recommended for approval.

Very Respectfully,
C. F. Larabee.
Acting Commissioner

H.R.D.
M.B.M.

1 inc. and 2 for Ind. Of.

Through the Commissioner
of Indian Affairs.

First Assistant Secretary.

Thos. Ryan.

Respectfully,

Office for its files.

The papers in the matter have been sent to the Indian

decision is hereby affirmed.

The Department concurs in said recommendation, and your

A copy of its letter is inclosed.

Office recommends that your decision be approved.

Reporting December 22, 1906 (Land 56644), the Indian

decision of June 28, 1906, adverse to the applicant.

a citizen by blood of the Creek Nation, together with your
the application for the enrollment of Alice Smith, deceased, as
July 2, 1906, you transmitted the record in the matter of

Sir:

Commissioner to the Five Civilized Tribes.
Muskogee, Indian Territory.

L.R.S.

I.T.D. 25870-1906.

December 29, 1906.

WASHINGTON.
DEPARTMENT OF THE INTERIOR,

THE.

JP.

Cr. Mm. 849.

Muskogee, Indian Territory, July 2, 1906.

M. L. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Alice Smith, deceased, as a citizen by blood of the Creek Nation.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

IM-138.

Or. Ind. 848.

Muskegon, Indian Territory, July 2, 1908.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings

in the matter of the application for the enrollment of Alice

Smith, deceased, as a citizen by blood of the Creek Nation,

including the decision of the Commissioner, dated June 28, 1908.

Respectfully,

Commissioner.

IN-127.

Through the
Commissioner of Indian Affairs.

5247

COMMISSIONER TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

CT. No. 849.
RETURN IN REPLY TO THE FOLLOWING

Muskogee, Indian Territory, July 2, 1906.

Hinty Smith,

Irene, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Alice Smith, deceased, as a citizen by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

Register.
IM-136.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Cr. Bu. 849.

Okemah, Indian Territory, November 9, 1905.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

There is enclosed herewith testimony taken November 2, 1905,
in the matter of the application for the enrollment of Alice Smith,
deceased, as a citizen by blood of the Creek Nation, together with
copies of the testimony heretofore taken in said case.

I am unable to secure further evidence in said case.

Respectfully,


Clerk in Charge Creek Field Party.

INDEXED

| | |
|---------------------------|-------------|
| COMMISSIONER TO THE CHIEF | |
| No. | Received |
| 50832 | NOV 10 1905 |

Nov. 9, 1905.
Okeana, I.T.
Posey, Alex.

Transmit testimony in re
enrollment of Alice
Smith, deceased, as a Creek
citizen.

CREEK ENROLLMENT

I. S. N.

Gr. En. 849.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment
of Alice Smith, deceased, as a citizen by blood of the Creek
Nation.

DECISION.

It appears from the records in the possession of
this office that Alice Smith, deceased, was listed for en-
rollment April 22, 1901, as a citizen by blood of the Creek
Nation, on Creek Indian Card File No. 3853. Further pro-
ceedings were had October 26 and November 3, 1904, February
22, February 28 and November 2, 1905.
The evidence in this case is contradictory as to the
date of death of Alice Smith, deceased, but the weight of evi-
dence shows that said applicant died prior to the smallpox
epidemic which prevailed in the western part of the Creek
Nation beginning in the winter of 1898 and ending in the
spring of 1899 (see report of Commissioner under date of June
14, 1906, in the matter of the right to enrollment of Molly
Fixico, et al., as citizens of the Creek Nation, said report
being attached to and made part of the record in this case).
and established the date of death of Alice Smith as prior to
April 1, 1899, the date of opening of the Creek Land Office.
It is therefore ordered and adjudged that there is
no authority of law for the enrollment of said Alice Smith, de-
ceased, as a citizen by blood of the Creek Nation and the
application for her enrollment as such is accordingly denied.

Commissioner

Muskogee, Indian Territory.

JUL 28 1906

Ex. 849.

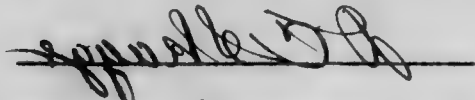
DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Irene, I. T., November 2, 1905.

In the matter of the application for the enrollment of Alice
Smith, deceased, as a citizen by blood of the Creek Nation.
LUCINDA FIXICO, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

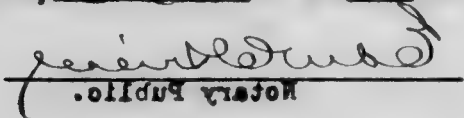
BY THE COMMISSIONER:
Q What is your name? A Lucinda Fixico.
Q How old are you? A I was about ten years old before the Civil
War.
Q What is your post office address? A Irene.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Fish Pond.
Q Do you know Hinky Smith? A Yes, sir, I am her mother.
Q Did she have a child named Alice? A Yes, sir.
Q Who was the child's father? A Belcher Smith.
Q You have heretofore testified in this case have you not? A Yes,
sir.
Q Have you succeeded in fixing the date of the death of Alice? A
The child died in mid-summer when the Indians were hunting. That was
the summer before the small-pox epidemic, during which so many people
died. The child died in August of that year--in August before the
small-pox epidemic.
Q You are positive, are you, that the child died at that time? A
Yes, sir.
Q How old was the child at the time of its death? A It was about a
year old when it died.
Q Who attended on the mother at the birth of the child? A I did.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.



Subscribed and sworn to before me this 20 day of Dec 1905.


Notary Public.

JOHN DEERE, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSIONER:

Q What is your name? A John Deere.
Q What is your age? A About forty-four.
Q What is your post office address? A Castle.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Greenleaf. I am Town King.
Q Do you know a child of Belcher and Hinky Smith named Alice? A
Yes, sir, the child died at my house.
Q Do you know when she died? A I cannot say when the child died.
Q How many years do you think it had been since she died? A About
five years ago. The child died before I moved to my present home.
Q I moved here before the opening of the Greek Land Office.
Q How long had the child been dead when you moved here? A I think
she had been dead a little over a year. I know it was at least a
year.
Q Do you remember the circumstance of the opening of the Greek Land
Office? A Yes, sir.
Q Did Alice die before or after the opening of the Greek Land Office?
A Before. But people in this neighborhood were at that time making
preparation to take selection of land.
Q Did the child die before or after the small-pox broke out in the
western part of the country? A It was just before---I cannot say
just how long.
Q Are you positive that the child died before the land office
opened? A Yes, sir.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 10th day of May, 1900.

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., February 28, 1905.

In the matter of the application for the enrollment of Alice Smith as a citizen by blood of the Creek Nation.

Luolinda Fixico, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Luolinda Fixico.
Q What is your age? A I do not know my age but I am pretty old.
WH

Witness appears to be fifty years of age.

Q What is your post office address? A Irene.
Q Are you a citizen of the Creek Nation? A Yes, sir.

Q To what town do you belong? A Wapahong.
Q Did you know a child of Belcher and Henty Smith named Alice Smith? A Yes, sir. I attended on Henty Smith at the time the child was born and was present when the child died.
Q Do you know when the child died? A I am unable to give dates but the child died shortly after the Commission was at Okmulgee enrolling citizens.

Q How long after? A I do not know how long it was but it was shortly after. It was in the Spring. I went before the Commission and gave in my name and it was long after I returned home that the child died. The mother came to my house to stay with me and make a garden and the child took sick and died.
Q How old was the child at the time it died? A The child was not able to crawl--could only sit up.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.

Q Did the child die before or after the land office opened? A I suppose it was after because the Commission taken the names of citizens at Okmulgee and the child died after that time. The child died after the small-pox disappeared here.-----I wish to correct that statement. I was in the post house at Hillabee before and I remember at that time the child was dead.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of a stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 19th day of May, 1905.

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., February 28, 1905.

In the matter of the application for the enrollment of Alice
Smith as a citizen by blood of the Creek Nation.

Lucinda Fixico, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Lucinda Fixico.
Q What is your age? A I do not know my age.

Witness appears to be about fifty years of age.

Q What is your post office? A Irene.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Fairbont.
Q Did you know a child of Belcher and Hinky Smith named Alice? A
Yes, sir. I attended on Hinky Smith when the child was born, and was
present when the child died.
Q Do you know when the child died? A I am unable to give dates but
the child died shortly after the Commission was at Okmulgee enrolling
citizens.
Q How long after? A I do not know how long it was but it was
shortly after. I was in the Spring. I went before the Commission
and gave in my name and it wasn't long after I returned home that the
child died. The mother came to my house to stay.
Q How old was the child at the time it died? A The child was not
able to crawl--could only set up.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Did the child die before or after the opening of the Creek Land
Office? A I suppose it was after because the Commission taken the
names of citizens at Okmulgee and the child died after that time. The
child died after the small-pox disappeared here.-----I wish to
correct that statement. I was in the post house at Hillabee Hutshe
and I remember at that time the child was dead.

-----0:-----

I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 8 day of April 1905.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., February 22, 1902.

In the matter of the application for the enrollment of Alice Smith as a citizen by blood of the Creek Nation.

HINTY SMITH, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSIONER:

Q What is your name? A Hinty Smith.
Q How old are you? A I do not know my age.

Witness appears to be about thirty years old.

Q What is your post office address? A Irene.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Diamond.
Q You have heretofore given testimony in this case have you? A Yes, sir.

Q Did you have a child named Alice? A Yes, sir.
Q Have you fixed the date of her death? A I have not been able to fix the exact date of the child's death but she has now been dead about four years.
Q What is the name of your oldest living child? A Bessie Smith.
Q How old is Bessie? A About four years old.
Q Was she living when Alice died? A Yes, sir.
Q How old was Bessie at the time Alice died? A I do not know how old she was but she was a child in my arms.

Bessie is present and appears to be at least four years old. The witness states that "the child is not yet able to talk well."

Q Have you made selection of land for Bessie? A No, sir, I have made no selection of land for the child but people tell me that my-self and children have probably been arbitrarily filed by the Commission.
Q How old is the child which you have in your arms? A It is about two years old.
Q How old was Bessie when that child was born? A About two years old.
Q Was there any record made of the birth and death of any of your children? A No, sir.
Q Was Alice living at the time the small-box was so fatal in this part of the country? A She was dead at that time.
Q Are you positive? A Yes, sir.
Q Do you know of any one who would know when Alice died? A I do not know any one who would know except William Smith.
Q How old was Alice at the time of her death? A She was a little older than this child which I have in my arms.
Q Are you positive that Bessie was living when Alice died? A Yes, sir.

I, D. C. Shanks, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said case on said date.

Subscribed and sworn to before me this 8 day of February, 1902.

[Handwritten signature]
Notary Public

Q What time of the year was it? A In the summer.
 Q Do you know what month? A I think it was in July.
 Q How close did you live to Helmer and Hilda when Alice died?
 A I lived about a half mile from them.
 Q Were you present when the child died? A No, sir.
 Q Were you present when the child was buried? A No, sir.
 Q About how old was the child when it died? A About two years old.
 Q Are you positive that the child died the summer following the opening of the Creek Land Office? A Yes, sir.
 Q Do you know of any one who had filed on their allotment when this child died? A Jim Scott.
 Q Are you any relation to the parents of this child? A Helmer is a brother of mine.
 Q Is he living? A Yes, sir.
 Q Where is he at the present time? A He is in the Fort Leavenworth Territory.
 Q Do you know why he was sent there? A On the charge of murder. He killed Victor Wesley.

---000000---

I, D. C. Shrage, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

[Signature]

Subscribed and sworn to before me this 16 day of November, 1904.

[Signature]
 Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
Wesleyka, I. T., November 8, 1904.

In the matter of the application for the enrollment of Alice Smith as a citizen by blood of the Greek Nation.

HINTY SMITH, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Hinty Smith.
Q How old are you? A I do not know my age. (Witness appears to be at least thirty years of age.)
Q What is your post office? A Irene.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town in the Greek Nation do you belong? A Fish Pond.
Q Did you have a child named Alice Smith? A Yes, sir.
Q What is the name of her father? A Belcher Smith.
Q Is Alice living? A She is dead.
Q When did she die? A I do not know.
Q Do you remember the circumstance of the opening of the Greek Land Office? A Yes, sir.
Q Did Alice die before or after the opening of the Greek Land Office? A The child died after the opening of the Greek Land Office.
Q How long after? A I do not know.
Q Do you know what time of the year the Greek Land Office opened? A I do not know. All I know about the opening of the Greek Land Office is that the people were talking about filling on their lands.
Q Are you positive that your child was living after the land office opened? A Yes, sir.
Q What time of the year did Alice die? A She died in the summer.
Q What month was it? A I think it was in July.
Q Had any one, that you know of, filed on their land before your child died? A I think John Wesley had filed on his land at the time Alice died.
Q Is the father of the child living? A Yes, sir.
Q Would he know when the child died? A Yes, sir.
Q Are you and your husband, the father of this child, living together at the present time? A No, sir.
Q Where is he? A In the Penitentiary.
Q When was he sent to the Penitentiary? A About a year ago.
Q Do you know why he was sent to the Penitentiary? A I do not know.

WILLIAM SMITH, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A William Smith.
Q How old are you? A About thirty.
Q What is your post office? A Graham.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q What town do you belong to? A Greenleaf.
Q Did you know a child of Belcher and Hinty Smith named Alice? A Yes, sir.
Q Is that child living? A It is dead.
Q Do you know how long she has been dead? A Between five and six years--it died in 1899.
Q Did it die before or after the opening of the Greek Land Office? A It died after the opening of the Greek Land Office.

C. 3552.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., October 26, 1904.

In the matter of the application for the enrollment of Alice
Smith as a citizen by blood of the Creek Nation.
CHARLIE SIMMER, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A Charlie Simmer.
Q How old are you? A About thirty.
Q What is your post office? A Resden.
Q Are you a member of the House of Warriors for Pishpond Town? A
Yes, sir.
Q Do you know Belcher and Henty Smith? A Yes, sir.
Q Did you know a child of theirs named Alice? A Yes, sir.
Q Is that child living or dead? A The child is dead.
Q Do you know how long it has been dead? A The child has been
dead some time but I cannot say how long.
Q Did it die before the Creek Land Office opened or after? A I
have been a town officer only a short time and cannot say whether the
child died before or after the land office opened.
Q About how old was the child when it died? A I think the child
was about three years old. Tope Hill would know.
Q Is he here? A Yes, sir.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

D. C. Skaggs

Subscribed and sworn to before me this 14 day of Nov, 1904.

Charles H. Skaggs
Notary Public.

CR EN 84D

CR EN 84D

1907

St. No. 248

Muskogee, Indian Territory, March 14, 1907.

Wiley Chassey,

Seawater, Indian Territory.

Dear Madam: --

You are hereby advised that under date of March 4, 1907, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, denying the application for the enrollment of Anna Chassey as a citizen by blood of the Creek Nation.

Respectfully,

Commissioner.

7P
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DEPARTMENT OF THE INTERIOR
WASHINGTON.

LRB.

March 4, 1907.

I. T. D.
6134, 6144, 7028, 7034-07.
7236, 7238, 7239-07.
7238, 7248, 7252, 7260-07.
7236, 7240-07.

Direct

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Your decisions in the following Creek citizenship cases
adverse to applicants are hereby affirmed. Copies of Indian
Office letters submitting your reports and recommending that the

decisions be affirmed are inclosed.

Date of your
Letter of Transmittal.

Title of case.

February 16, 1907.
February 13, 1907.
February 21, 1907.
February 14, 1907.
February 22, 1907.
February 23, 1907.
February 23, 1907.
February 2, 1907.
February 2, 1907.
February 2, 1907.
February 2, 1907.
February 18, 1907.
February 18, 1907.
February 20, 1907.
February 21, 1907.

Henry Jones,
Mary Rogers, deceased, (Freedman)
Ellen Pittman (Freedman)
Charles Williams, deceased, (Freedman)
Clarence Brumer (Freedman)
Marie Sears,
Homer Whetzel, Freedman.
Euna Mason, et al (Freedman).
Lonna Johnson (Freedman).
Anna Chaffee, (Deceased).
Hose Nell New, (Freedman).
Hubert Humphreys (Freedman).
Little Doctor, deceased.
Leland Davis (Freedman).

A copy of all the papers in the above mentioned cases

have been sent to the Indian Office.

Respectfully,

H. A. Hitchcock
Secretary.

14 inc. and 28 inc.
for Ind. O.
2/4/07.

COPY
GAW

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs

Land.
118X6-1907.

March 1, 1907

Washington.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed a report from Commissioner Bixby, dated February 5, 1907, transmitting the record relative to the application for enrollment of Anna Charlessey, deceased, as a citizen by blood of the Creek Nation. On January 29, 1907, the Commissioner held that the applicant was not entitled to enrollment.

The evidence shows that the applicant is the child of Charles or Charlesy, a citizen of the Seminole Nation and Ellen Charlesy, a citizen by blood of the Creek Nation. The weight of the evidence shows that the applicant was born on February 17, 1900, and died on February 19, 1900.

Under the provisions of the Act of March 1, 1901, (31 Stat

L. 861), the applicant is not entitled to enrollment.

The decision of the Commissioner has been examined, and found to be correct, and its approval is recommended.

Very Respectfully,

C. F. Larabee.

Acting Commissioner.

J.P.B.-Pr.

OT. M. 448.

Wakarusa, Indian Territory, February 2, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings

in the matter of the application for the enrollment of Anna
Charney, deceased, as a citizen by blood of the Creek Nation,
including the decision of the Commissioner, dated January 29,

1907.

Respectfully,

Commissioner.

Through the
Commissioner of Indian Affairs.

W-2.

Dr. Wm. S. S.

Muskogee, Indian Territory, February 2, 1907.

M. L. Wolf,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Anna Charney, deceased, as a citizen by blood of the Creek Nation. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

W-2.

484

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

REFER IN REPLY TO THE FOLLOWING:
.....
Cr. En. 848.
.....

Muskogee, Indian Territory, February 2, 1907.

Ellen Charlene,

Sawtooth, Indian Territory.

Dear Madam:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Anna Charlene, an citizen by blood of the Creek Nation, denying said appli-

cation.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

Register,

KK-1.

F.H.W.
A.D.

Cr. No. 848.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
Anna Charley, deceased, as a citizen by blood of the Creek
Nation.

D E C I S I O N.

The record in this case shows that an application was
executed on May 4, 1901 for the enrollment of "Anna", deceased,
as a citizen by blood of the Creek Nation. Further proceedings
were had November 9, 1904, December 13, 1904 and January 22,
1907.

The evidence in this case and the records in the possession
of this office show that "Anna" for whom application was made
in the original affidavit, is the child of Charles or Charley,
a citizen of the Seminole Nation and "Ellen" or Ellen Charley,
who is a duly enrolled citizen by blood of the Creek Nation.
Applicant enrolled as Ellen Charley, opposite roll No. 7052.
Therefore will be known in future consideration of this case as
Anna Charley.

It appears that the evidence is conflicting as to the date
of birth and death of the said applicant but the weight of the
evidence establishes the fact that the said Anna Charley
was born February 17, 1900 and died February 19, 1900.
It is, therefore, ordered and adjudged that there is no
authority of law for the enrollment of said Anna Charley,
deceased, as a citizen by blood of the Creek Nation, and the
application for her enrollment as such is accordingly denied.

Commissioner.

Wakarusa, Indian Territory,

JAN 29 1907

By Commissioner.

It is noted from the records of this office that Jennie and Lizzie Charlie are enrolled opposite Greek Indian Roll numbers 9828 and 9829. The proof on file shows that they were born February 7, 1901 and were living May 28, 1908. The Greek Attorney, in view of the variance in the record of the death of Lizzie, presented this morning, desires to further investigate the date of death of said Lizzie Charlie. It is noted that the other twin, Martha and Flora Charlie are enrolled opposite numbers 688 and 689 (March 2, 1908) as having been born on October 5, 1904.

John Marwick, being duly sworn, states that the above and foregoing is a true and correct transcript of her stenographic notes as taken in said cause on said date.

John Marwick

Subscribed and sworn to before me this 22nd day of January, 1907.

Charles Kinkadee
Notary Public.

The record shows that Jennie and Lizzie Charlie were born February 7, 1901, and that Lizzie Charlie died May 28, 1901, the 28th being apparently written at a different time from the rest and probably over some other number that has been erased.

Q Is your sister's oldest child, Anna, living? A No sir, she is dead.

Q When was Anna born? A The record shows that also.

The record heretofore noted and the one about to be noted are pencil notes in the back part of a small account book, Dry Goods and Groceries, etc.; said entries in full are as follows:

"Jennie Charlie was born Feb. 7, 1901.
Lizzie Charlie was born Feb. 7, 1901.
Lizzie Charlie died May 28, 1901.
Anna was born Feb. 17, 1900.
Anna died Feb. 19, 1900.
Charles died July 23, 1904.
Martha Charlie was born in October 5, 1904.
Flora Charlie was born Oct. 8, 1904.
Flora Charlie died August 27, 1906.
Mrs. Ellen Charlie died Oct. 3rd, 1906."

Q Who did this writing in this book? A Ellen wrote it, but I believe I wrote Flora's death myself, and when Ellen died I wrote that down.

Q You are certain and swear then that your sister had two sets of twins and this child Anna makes five children altogether?

A Yes sir.

Q Then if Ellen in November 1904, explained to Mr. Posey that the proper name of her child was Anna instead of Lizzie, she was right? A I don't know whether she told him the name of the child, but he got the name in the application as Lizzie.

Q Is this entry about the date of birth and death of Anna correct that she was born February 17, 1900 and died February 19, 1900, is that correct that you have written there? A Yes sir, that is correct.

Q Then your niece Anna only lived two days did she? A Yes sir.

Q You are certain of that are you? A Yes sir; the record shows she lived two days, I never saw the child.

Q Do you know when she wrote this entry about the birth of Anna in this book, how long after the child was born before she wrote it? A I don't know.

Q Do you know when the entry about Anna's death was written?

A No sir I don't know that.

By Mr. Farnsworth.

Q Did you ever hear your sister Ellen say how long Anna lived? A She told me the child lived but a short time.

Q What do you mean by a short time, three or four days or a month? A I don't know what she meant by that, but I looked at the record and it showed that she lived only two days.

Q How far do you live from your sister Ellen when this child was born? A About two or three miles.

Q If this child Anna had lived two or three months wouldn't you have probably seen it? A Yes, I think so.

Q You never did see this child? A No sir.

Q Did you ever hear your sister Ellen say whether or not she endeavored to enroll Anna; that she wanted to get her enrolled?

A Yes sir, I have heard her talking about enrolling Anna.

Cr. I. 2349.
Cr. M. 848.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, INDIAN TERRITORY,
JANUARY 22, 1907.

In the matter of the application for the enrollment of
Annie Charlessy, deceased, as a citizen by blood of the Creek
Nation.

Appearance: Jay P. Farnsworth, representing M.L. Nott,
Attorney for Creek Nation.

Beasie Gully, being duly sworn by H.G. Hains, a Notary
Public, testified as follows, through Official Interpreter,
Iona Merlock.

Examination by Commissioner.

Q What is your name? A Beasie Gully.
Q What is your age? A About 41.
Q What is your post office address? A Sasakwa.
Q Do you know a woman in your neighborhood by the name of
Ellen Charlessy? Yes sir.
Q What is the name of her father? A Thomas West.
Q What is the name of her mother? A I don't know.

Said Ellen is identified opposite Creek Indian Roll
Number 7059.

Q Is Ellen living? A No sir.
Q When did she die? A October 3, 1906.
Q What was the name of her husband? A Charlessy.
Q Was he a Creek Indian or Seminole? A Seminole.
Q Is he living? A No sir.
Q When did he die? A The record shows. (Pointing to a book).

Said record shows that he died July 23, 1904.

Q Were you well acquainted with these people? A Yes sir.
Q Do you live near them? A Yes sir.
Q What kin are you to either of them? A Ellen was my sister.
Q What is the name of your sister's oldest child? A Anna.
Q What is the name of the next one? A Lizzie and Jennie, twins.
Q What is the name of her next child? A Martha and Flora,
another set of twins.
Q Another set of twins? A Yes sir.
Q Martha and Flora living? A Martha is living, Flora is dead.
Q When did Flora die? A The record also shows that.

Said record states that Flora Charlessy and Martha Charlessy
were born October 5, 1904, and that Ellen died August 27, 1906.
Q Jennie and Lizzie those other twins living? A Jennie is
living, the other is dead.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Saskatoon, I. T., December 12, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Anne Charley, deceased, as a citizen by blood of the
Greek Nation.

WILSON CHARLEY, being duly sworn, testified as

follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Wilson Charley.
Q How old are you? A Probably about twenty-six.
Q What is your post office address? A Saskatoon.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Nyakka.
Q Did you have a child named Anne? A Yes, sir,--my child's proper
name was Lizzie.
Q The child is dead is it? A Yes, sir.
Q You stated in your testimony before the Commission at Wasekka
that you had a record of the birth and death of Anne, have you that
record now? A Yes, sir.

The witness presents a pocket memorandum book in which is
found a record of the birth and death of various members of
the family of Wilson Charley, among others the following entry
appears:

"Lizzie Charlie was born in Feb. 7, 1901."
"Lizzie Charlie died May 28, 1901."

Said entry is written with lead pencil. The day of the month
"28" in the record of the death of the child appears to have
been written at a later date than the month and year. It also
appears that an erasure had been made where this date is written.

Q Does the Lizzie Charlie mentioned in this record refer to Lizzie
Charley? A Yes, sir. She was a twin sister of Jennie. (Indist-
inct a small child who is present)
Q Has land been selected for Jennie? A Yes, sir.

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I, D. G. Shaffer, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
examine on said date.

Subscribed and sworn to before me this 28 day of December, 1904.

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Washington, D. C., November 9, 1904.

In the matter of the application for the enrollment of Anna Charlessey as a citizen by blood of the Creek Nation.

ELLEN CHARLESSEY, being duly sworn, testified:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Ellen Charlessey.
Q How old are you? A About twenty-five.
Q What is your post office address? A Muskogee.
Q Did you have a child named Anna Charlessey? A Yes, sir.
Q Is that child living? A Dead.
Q How long has it been dead? A Anna was a baby in my arms at the time the Commission was enrolling people at Muskogee. I appeared before the Commission there and the child died about a week after my return home.
Q Was that before or after the opening of the Creek Land Office? A I think it was after the opening of the land office.
Q Did you make an application at the time for the enrollment of that child? A The child was enrolled by the Commission at Muskogee.
Q When was that? A A short time after the child died.
Q Did you have the child enrolled? A No, sir, my husband had the child enrolled.
Q Do you know when the child was born? A The child was born about the seventh of February, 1892.
Q How old was it when it died? A About four months old.
Q In what month did the child die? A The 28th of May.
Q Was that in the same year that the child was born? A Yes, sir.
Q Have you a record of the birth and death of this child? A Yes, sir.
Q Who made the record? A I made the record myself.
Q Have you that record with you? A I have the record at home.
Q What is that record made upon? A It is written in a kind of a pocket-book.
Q Can you furnish the Commission with that record? A Yes, sir.
Q Can you bring that record to Muskogee? A I do not know whether it will be possible for me to travel such a long distance with my twin babies.
Q Have you no husband? A My husband is dead and I have no one to look after my affairs. (The witness has with her twin babies in arms)
The witness explains that the proper name of her dead child, Anna, is Lizzie Charlessey.

Q Are you positive that the child was born before the land office opened? A Yes, sir.
Q Are you positive that the child died after the land office was opened? A Yes, sir.

I, D. C. Shaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said course on said date.

Subscribed and sworn to before me this 18 day of November, 1904.

Notary Public.

CR EN 848

CR EN 848

No. 847

Managers, Indian Territory, August 14, 1908.

M. L. West,

Managers, Indian Territory.

Dear Sir:

You are hereby notified that under date of August 5, 1908, the Department affirmed the decision of the Commission to the Five Civilized Tribes, dated June 14, 1908, denying the application for the enrollment of Alice Smith, minor child of William Smith, as a citizen of the Creek Nation.

Respectfully,

Acting Commissioner.

Encl.

Wapahoga, Indian Territory, August 14, 1908.

William Smith,

Owasa, Indian Territory.

Dear Sir:

You are hereby notified that under date of August 8, 1908, the Department affirmed the decision of the Commissioner to the Five Civilized Tribes, dated June 14, 1908, denying the application for the enrollment of your minor child, Alice Smith, as a citizen of the Creek Nation.

Respectfully,

Acting Commissioner.

Refer in reply to the following:
Land: 50162-1905.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, July 20, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated June 27, 1905, transmitting the record of the application for enrollment as a citizen by blood of the Creek Nation by William Smith for his minor child, Alice Smith,

deceased.

June 14, 1905, the Commission decided adversely to the

application.

The record shows that Alice Smith died prior to April 1,

1899.

In view of the record the approval of the Commission's decision

adverse to the application is recommended.

Very respectfully,

C. V. Larrabee,

Acting Commissioner.

M. M. M. W.

847

GR. LIB. LRS.

I.T.D. 8832-1905.

DEPARTMENT OF THE INTERIOR,

WASHINGTON, August 5, 1905.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

June 27, 1905, the Commission to the Five Civilized Tribes transmitted the record of the application of William Smith for the enrollment of his deceased minor child, Alice Smith, as a citizen by blood of the Creek Nation, including the decision of the Commission dated June 14, 1905, denying said application.

July 20, 1905, the Acting Commissioner of Indian Affairs reporting thereon, recommended that the decision of the Commission denying said application be affirmed. A copy of his letter is

inclosed.

The Department concurs in the recommendation made and the decision of the Commission dated June 14, 1905, denying the application of William Smith for the enrollment of his deceased minor child, Alice Smith, as a citizen by blood of the Creek Nation is hereby affirmed.

Respectfully,

(Signed) Thos. Ryan,

Acting Secretary.

1 inclosure.

Gr. En. 847.

Muskogee, Indian Territory, June 27, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Alice Smith, deceased, as a citizen by blood of the Creek Nation, including the decision of the Commission, dated June 14, 1905.

Respectfully,

Chairman.

Through the

Commissioner of Indian Affairs.

IM-6-27-324.

Cr. En. 847.

Muskogee, Indian Territory, June 27, 1908

M. L. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Alice Smith, deceased, as a citizen by blood of the Creek Nation, denying said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

IM-6-27-383.

Dr. J. M. 847.

Muskogee, Indian Territory, June 27, 1905.

William Smith,

Okemah, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the

Commission to the Five Civilized Tribes in the matter of the

application for the enrollment of your minor child, Alice Smith,

deceased, as a citizen by blood of the Creek Nation, denying said

application.

The Decision, with a copy of the proceedings had in the

case, is this day transmitted to the Secretary of the Interior for

his review and decision. The final decision of the Secretary will

be made known to you as soon as the Commission is informed of the

same.

Respectfully,

Chairman.

Register.
IM-8-27-382.

1004

COPY.

B. A. 151.

Muskogee, Indian Territory, November 21, 1903.

Winey Smith,

Okemah, Indian Territory.

Dear Madam:

There are on file with the Commission affidavits relative to the birth and death of your minor child, Alice Smith, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case.

You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the dates of the birth and death of said child, for the purpose of being examined under oath.

Respectfully,

Chairman.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
Alice Smith, deceased, as a citizen by blood of the Creek Nation.

D E C I S I O N .

The record in this case shows that on June 16, 1903, affidavits of William Smith relative to the birth and death of his minor child, Alice Smith, were filed with the Commission at Muskogee, Indian Territory, which said affidavits are considered as an application for the enrollment of said Alice Smith, deceased, as a citizen by blood of the Creek Nation.

Further proceedings were had November 8, 1904, February 25, February 28 and March 14, 1905. The evidence shows that said Alice Smith, deceased, died prior to April 1, 1899. It is, therefore, the opinion of the Commission that there is no authority of law for the enrollment of said Alice Smith, deceased, as a citizen by blood of the Creek Nation, and that the application for her enrollment as such, should be denied, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

C. D. Anderson
Commissioner

Muskogee, Indian Territory,
JUN 14 1905

No. 847.-----2.

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 15 day of May, 1908.

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE NINE CIVILIZED TRIBES.
Baden, I. T., March 14, 1906.

In the matter of the application for the enrollment of Alice Smith, deceased, as a citizen by blood of the Creek Nation.

THOMAS WESTLEY, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Thomas Westley.
Q How old are you? A About twenty-six.
Q What is your post office address? A Posey.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Greenleaf.
Q Do you know William and Winny Smith? A Yes, sir.
Q You have heretofore given testimony about a child of theirs named Alice Smith have you not? A Yes, sir, at Okemah.
Q You testified that the child died in either 1894 or 1895? While you were attending school at Bacone University. William Smith, father of the child swears that you were not in school at that time, and that you told him after testifying in this case at Okemah that you had made a mistake in the testimony which you had given? A I wish to reiterate positively that I was in school at Bacone University at that time and that the child died while I was in school there.
Q When did you enter school? A I entered school shortly after New-years 1893. I began studying in the third academic class and completed the course in June of that year and began to study the second academic class in the fall of 1893 and completed the course in June 1894. I completed the first academic course in June, 1893. I entered the freshman class in the fall of 1892 but did not complete the course, leaving school March, 1896.
Q Was Alice Smith born while you were in school? A Yes, sir.
Q In what year was she born? A I think she was born in 1894.
Q In what year did she die? A I think she died in 1896.
Q Did you tell William Smith after giving testimony in this case at Okemah, that you had made a mistake in your testimony? A No, sir.
Q What did you tell him? A I simply told him that I had testified in the case and gave him the dates to which I had testified. He told me that he had made application for his child, Alice, but that he had experienced so much trouble in having the matter settled that he had about given up further effort.
Q You corroborated an affidavit executed June 16, 1902, by William and Winny Smith relative to the death of Alice did you? A Yes, sir.
Q Did you read that affidavit before signing it? A No, sir.
Q Then you don't know to what you were swearing? A I simply took their word as to the contents of the affidavit.
Q Do you not know that it is a serious matter to swear to something that you do not know to be true? A I thought I was swearing to the fact that they had such a child.
Q Did the parents have a record of the birth and death of Alice at the time the affidavit was executed? A No, sir, I think not. They said nothing about having a record but the father told me the other day that he had a record of the birth of the child.

child drew money during the 1895 Payment, but was informed that her name did not appear on the 1895 Roll. I had not witnessed with me and let the matter drop for the time-being. I afterwards accounted an affidavit about the birth and death of the child and filed it with the Commission.

Q Thomas Wesley swears that your child, Alice, died in either 1894 or 1895? While he was in school? A He is certainly in error because he was not in school at that time and Alice is the only dead child I have. He told me the other day that he was mistaken in the testimony he had given. I do not see how he could make that statement when he corroborated the affidavit which I filed with the Commission.

Q How many children have you living? A Two.
Q What are their names? A Orrey and Alice Smith.
Q Which is the oldest? A Orrey.
Q How old is she? A Orrey is six or over. She was born in 1896.
Q How old is Alice? A About five years old. She was born in 1898. We named her after the child that died.
Q Was Alice who is living born before or after the death of the Alice who is dead? A She was born before.
Q How long before? A I think about a year before.

WINNY SMITH, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A Winny Smith.
Q How old are you? A I am a full blood Indian and do not know my age.

Witness appears to be about thirty-five years old.

Q What is your post office address? A If any one should write me a letter I ought to get it at Okemah.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Okmulgee.
Q Did you have a child named Alice Smith? A Yes, sir.
Q Do you know when she died? A I do not know in what month, on what day or in what year she died. I know nothing about dates.
Q How many years has she been dead? A I do not know. I have not noticed the years on a stick since she died and I cannot tell you. All I know about her death is that she died in the summer time.
Q How old was she when she died? A I think she was about three years old.
Q Who attended on you at the time Alice was born? A Wotke Harjo's wife.
Q What is her name? A Millie.
Q Where does she live? A She lives across the North Canadian River.
Q What is her post office address? A I think her post office is Besden. She is a full-blood woman like myself and I don't know whether she would be able to give you any more information than I can.

-----0000000000-----

I, D. C. Shaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken on said cause on said date.

Subscribed and sworn to before me this 10th day of May, 1904.
Notary Public

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Okemah, I. T., February 28, 1902.

In the matter of the application for the enrollment of Alice Smith, deceased, as a citizen by blood of the Creek Nation.
WILLIAM SMITH, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSIONER:

Q What is your name? A William Smith.
Q What is your age? A I think I am a little over thirty.
Q What is your post office address? A Okemah.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Greenleaf.
Q Did you have a child named Alice Smith? A Yes, sir.
Q You have heretofore given testimony in this case have you not? A Yes, sir.
Q What is the name of the child's mother? A Winney Smith.
Q Do you know when Alice died? A She died in May.
Q In what year? A 1899.
Q When was she born? A August.
Q In what year? A 1894.
Q Did you make a record of the birth and death of Alice? A Yes, sir.
Q Have you that record? A Yes, sir.

The witness presents a small memorandum book containing various records and accounts. On page 1 the following entry is found: "Alice Smith was born Aug 28th 1894. died on May 18, 1899."

Q Who made this record? A I did.
Q When did you make it? A The original record was made on a piece of paper and the record in the book which you have was transcribed from it.
Q Did you make the original record? A Yes, sir.
Q When did you make it? A I made the record of the child's death on the day she died but did not make the record of her birth until I made the record of her death.
Q Where is the original record which you made? A I have lost it.
Q I had it among my other papers in my trunk until a short time ago and it has been misplaced or lost.
Q Did you ever execute an affidavit about Alice? A Yes, sir.
Q Were the dates as given in that affidavit taken from this record? A Yes, sir.
Q How old was Alice at the time of her death? A She was something over three years old I think but I cannot be certain.
Q Do you remember the circumstances of the opening of the Creek Land Office? A Yes, sir.
Q Was Alice born before or after the opening of the Creek Land Office? A She was born before.
Q How long before? A About four years.
Q How long was it after the land office opened that she died? A Not quite two months.
Q When did you make selection of land for yourself and family? A I think I went and filed on my land March 27, 1902, though I am not positive as to the year.
Q Did you make application at that time for Alice? A I asked the Commission at that time if I could file for her but her name would not be found on the roll. I explained to the Commission that the

Ex. 847.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., February 28, 1908.

In the matter of the application for the enrollment of Alice Smith, deceased, as a citizen by blood of the Creek Nation.
THOMAS WESLEY, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Thomas Wesley.
Q How old are you? A About 26.
Q What is your post office address? A Boley.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Greenleaf.
Q Do you know William and Wm. Smith? A Yes, sir.
Q Do you know a child of theirs named Alice Smith? A Yes, sir.
Q Do you know when that child died? A The child died in either 1894 or 1895. I was in school at that time at Bacon University. The child died while I was there at school.
Q When did you attend school at Bacon? A I commenced in 1893 and quit in the spring of 1896.
Q Are you positive that Alice died while you were in school there? A Yes, sir, the child was born while I was going to school there and died while I was in school there.
Q How old was the child at the time of its death? A It was about two years old I think.
Q Did they ever have any other child named Alice? A No, sir, they have two children living and one dead.
Q Do you know whether or not a record was made of the death of this child? A Probably the father made a record. He reads and writes.
Q You incorporated an affidavit executed June 16, 1902, that Alice Smith died May 15, 1897. A The affidavit is evidently incorrect because they had no child that died that was that old.

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I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 8 day of February, 1908.

Edw. J. Skaggs
Notary Public.

12. 18.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 8, 1904.

In the matter of the application for the enrollment of Alice Smith as a citizen by blood of the Creek Nation.
WILLIAM SMITH, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

BY COMMISSIONER:
Q What is your name? A William Smith.
Q How old are you? A About thirty.
Q What is your post office address? A Okemah.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Greenleaf Town.
Q Did you have a daughter named Alice Smith? A Yes, sir.
Q Is she living? A She is dead.
Q When did she die? A In 1899.
Q What month did she die in? A I think it was in May.
Q What time in May? A I think it was in the early part of May.
Q When was the child born? A In 1894.
Q In what month was she born? A In August either on the 4th or 5th of August.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Do you know what month it was? A April.
Q Did she die before the Creek Land Office opened? A She died about
Q What is the name of the mother of this child? A Winny Smith.
Q What town did Winny belong to? A Okemah.

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I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 16 day of November, 1904.

Notary Public.

CR EN 847

CR EN 847

En. 675.

Muskogee, Indian Territory, June 8, 1905.

Peter Sloan,

Henrietta, Indian Territory.

Dear Sir:

You are hereby advised that the name of your minor child, Sampson Sloan is contained in the partial list of citizens by blood of the Creek Nation, approved by the Secretary of the Interior May 25, 1905, and that application for a selection of land in the Creek Nation may now be made for said Sampson Sloan at the office of the Commission in Muskogee, Indian Territory.

Respectfully,

Commissioner in Charge.

OR EN 846

Anshogoo, Indian Territory, March 21, 1906.

M. E. Mott,

Attorney for the Creek Nation,
Anshogoo, Indian Territory.

Sir:

There is enclosed herewith a copy of the decision of the
Commissioner to the Five Civilized Tribes in the matter of the ap-
plication for the enrollment of Willie Sloss (deceased) and
Sampson Sloss (deceased) as citizens by blood of the Creek
Nation.

You are hereby notified that the Creek Nation will be al-
lowed fifteen days from date hereof within which to file protest
against said decision, and if, at the expiration of that time, no
such protest has been made, said Willie and Sampson Sloss (de-
ceased) will be regularly listed for enrollment as citizens by
blood of the Creek Nation.

Respectfully,

Chairman.

JYM-21-16.

D. C. 102.

Muskogee, Indian Territory, January 30, 1904.

Peter Sloan,

Henryetta, Indian Territory.

Dear Sir:

There is on file with the Commission an affidavit executed by you relative to the death of your child, Nellie Sloan, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case. You are therefore requested to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the date of the death of said child, for the purpose of being examined under oath.

Respectfully,

Commissioner in Charge.

BEST AVAILABLE COPY
- POOR ORIGINAL -

COPY.

B. A. 145.

Muskogee, Indian Territory, November 20, 1903.

Peter Stone,

Henrietta, Indian Territory.

Dear Sir:

There are on file with the Commission affidavits executed by you relative to the birth and death of your minor child, Sampson Stone, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted

in the case.

You are therefore required to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the dates of the birth and death of said child, for the purpose of being examined under oath.

Respectfully,

Chairman.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Sallie Sloane, deceased, and Sampson Sloane, deceased, as citizens by blood of the Creek Nation.

D E C I S I O N .

The record in this case shows that on September 23, 1902, the affidavit of Peter Sloane relative to the death of his minor child, Sallie Sloane, and on October 23, 1902, the affidavits of said Peter Sloane relative to the birth and death of his minor child, Sampson Sloane, were filed with the Commission at Muskogee, Indian Territory; which said affidavits are considered by the Commission as applications for the enrollment of said Sallie Sloane, deceased, and Sampson Sloane, deceased, as citizens by blood of the Creek Nation.

Further proceedings were had at Weleetka, Indian Territory, November 8, 1904, and at Muskogee, Indian Territory, November 25, 1904. The evidence shows that said Sallie Sloane, deceased, and said Sampson Sloane, deceased, were the minor children of Watsey Sloane, and that said Watsey Sloane is identified on the 1890 Authenticated Tribal Roll and the 1895 Pay Roll of the Creek Nation.

The evidence further shows that said Sallie Sloane, deceased, is identified on the 1893 Pay Roll of the Creek Nation, and that both said Sallie Sloane, deceased, and said Sampson Sloane, deceased, were born prior to April 1, 1899, and died subsequent to that date.

It is, therefore, the opinion of the Commission that said Sallie Sloane, deceased, and said Sampson Sloane, deceased, should be enrolled as citizens by blood of the Creek Nation in accordance with the provisions of the acts of Congress, June 23, 1898 (30 Stat., 492) and March 1, 1901 (31 Stat., 861), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

CHAIRMAN

COMMISSIONER

COMMISSIONER

MUSKOGEE, I. T.

MAR 12 1905

2. 2.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR,
Nov. 24, 1904.

In the matter of the application for the enrollment of Sallie
Sloane, deceased, and Samson Sloane, deceased, as citizens by blood
of the Creek Nation.

SUPPLEMENTAL STATEMENT

The 1890 Authenticated Tribal Roll of the Creek Nation, Kialtee
Town, examined and Watay Sloane, the mother of the applicant herein,
identified thereon at page 128, as Watay.
The 1895 Pay Roll of the Creek Nation, Kialtee Town, examined
and said Watay Sloane identified thereon at No. 170, as Watay. Sallie
Sloane is also identified on said roll at No. 172.

Commissioner in Charge

Lawrence, Indian Territory,

November 25, 1904.

Mr. 840

A. 145.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 8, 1904.

In the matter of the application for the enrollment of Sampson Sloan as a citizen by blood of the Creek Nation.

PETER SLOAN, being duly sworn, testified as follows:

Through Ale x Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Peter Sloan?
Q How old are you? A Over forty.
Q What is your post office address? A Henryetta.
Q You are a citizen of the Seminole Nation are you? A Yes, sir.
Q Did you have a child named Sampson Sloan? A Yes, sir.
Q Is he living? A He is dead.
Q When did he die? A January 19, 1901.
Q How old was he when he died? A She was fully three years old.
Q When was the child born? A I do not remember only that the child was fully three years old at the time of its death.
Q Was it living when the Creek Land Office opened? A Yes, sir.
Q What was the name of the child's mother? A Waitsey.
Q Why have you not made application for this child before? A I appeared before the Commission at Muskogee for the purpose of selecting land for Sampson and my other child Salie but the Commission desired two witnesses to give testimony as to the death of these two children and I came back home and have never concerned myself about the matter since although I have received letters from the Commission frequently.

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I, D. C. Skates, do hereby state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 16 day of November, 1904.

Notary Public.

Ex. 84c

A. 108.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Weslaka, I. T., November 8, 1904.

In the matter of the application for the enrollment of Sallie
Sloman, deceased, as a citizen by blood of the Creek Nation.

PETER SLOAN, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Peter Sloan.
Q How old are you? A I am over forty.
Q What is your post office address? A Henryetta.
Q Are you a citizen of the Seminole Nation? A Yes, sir.
Q Did you have a child by the name of Sallie Sloan? A Yes, sir.
Q Is that child living? A It is dead.
Q What is the name of her mother? A Witey.
Q To what town did Witey belong? A Kialkee.
Q When did Sallie die? A She died September 8, 1900.
Q When was the child born? A I do not know when the child was born
but she was between eight and ten years old when she died.
Q Was she living at the time the Creek Land Office opened? A
Yes, sir.
Q Is the mother of Sallie living? A She is dead.
Q When did she die? A August 20, 1900.

-----0:-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
examination on said date.

Subscribed and sworn to before me this 16 day of November, 1904.

[Signature]
Notary Public.

CR EN 829

CR EN 829

RESIDENCE:
POST OFFICE:

1000, Good, Va.

Nation.

Roll.

CARD NO.
FIELD NO.

- Roll No.
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18

NAME

Relation
ship to
Person
Last
Name

AGE SEX BLOOD

TRIBAL ENROLLMENT
Year

Name of Father
Year

TRIBAL ENROLLMENT OF PARENTS
Name of Mother
Year

Not a member

Not a member

Not a member

Not a member

Secretary.

existence of the Greek Nation should be denied.
Decision of the Commission in the matter of the
unacknowledged cases of Loukas Pappas and Garry Pappas (variously
named), is enclosed herewith.
Respectfully,

Respectfully,
George G. G. G.

1-24

Secretary 6.

are clearly established:—that after the death of Louanna Deer
(wife of Joe Deer), said Joe Deer married a woman by the name of
Yamah (or Yarnah) and by her had a son named Bady (or Bady or
Bordie or Thomas) Deer; that Mahaley (or Mahaley or Mahaley) Johnson,
step-daughter of Joe Deer, had a son named Bady (or Bordie or
Bady or Himer) Deer (or Mahaley); and that the Bady Deers
whose name is listed upon Greek Indian card No. 3836, among the
records of this office, is identified as Bady Deer (or Mahaley),
son of Mahaley Johnson, and the applicant in this case.

It does not appear from the records of this office
that application has ever been made for the enrollment of Bady
(or Bady or Bordie or Thomas) Deer, son of Joe and Yamah Deer,
as a citizen of the Greek Nation, and you are advised that the
matter of the alleged application for the enrollment of said
child is now under investigation.

I am of the opinion that the evidence in this case
clearly establishes the dates of death of Louanna Deer and Bady
(or Bordie or Bady or Himer) Deer (or Deers or Mahaley) as
prior to April 1, 1899, the date of the opening of the Greek
Land Office and that the applications for their enrollment as

Secretary 5.

wife Louanna died six days before the opening of the Greek land office; that Berdie (or Berty or Barty) Deer was his son by his wife Yarnah and that Berdie and Thomas were one and the same. October 24, 1905, Joe Deer testified in the matter of the application for the enrollment of Thomas Deer, deceased, and presented as evidence a book containing a record of the births and deaths of various persons, in which appears the following entry: "Thomas Deer, son of Yarnah and Joe Deer, born Feb. 19, 1901. Died Jan. 8, 1905. Age 1 yr & 11 months."

Palmer Key testified on the same date that Louanna Deer died six or eight days before the opening of the Greek land office and that she made a record of the death of Louanna at the instance of his father Twink Henrich (or Tommie Key), who was town king at the time.

On the same date Joe Deer presented as evidence a book containing a record of births and deaths of a number of persons in which appears the following entry: "Saturday night, March 25, 1899, my dear mamma finished her days". He further testified that said entry was made by Mahaly Johnson, his step daughter on the day that Louanna died.

From the evidence as elicited, the following facts

Secretary 4.

Marshall and that said child died just before the death of his wife Louanna Deere and before the opening of the Greek land office.

March 10, 1905 Marshall Johnson testified that she had

a child named Barty Deere; that the father of the child was Barney

Marshall, deceased; that the child died and was buried back of

her house. The record of proceedings on said date shows that a

representative of the Commission visited the grave of said child

and the following inscription was found on the tombstone "KIMOR

Deer died October 1, 1898, aged 1 yr & 3 mo". Said Marshall

Johnson further testified that KIMOR Deer and Barty Deere were

one and the same person; that Barty was "just a nickname"; that

Barty should be Barty and that Joe Deere had a boy by his present

wife who was nicknamed Barty. In reply to the question "why was

your child Barty named Deere instead of Marshall", witness stated

"Joe Deere went before the Commission at Okmulgee when the Com-

mission was there enrolling the citizens and gave the child's

name in as Barty Deere. Louanna Deere, a former wife of Joe

Deer, was my mother and their names were given in together and

that his was the mistake was made."

October 16, 1905, Joe Deere testified that he made a

mistake when he gave his testimony the first time and that his

Secretary 3.

the record referred to in his previous testimony, the record therein referred to reading as follows: "Joanna finished her days March 25, 1899."

October 26, 1904, London Knight testified as follows: "I am quite sure that she (Joanna) died about a day before the Greek Land office opened."

November 9, 1904, Joe Deer testified that his wife Joanna died six days before the opening of the Greek Land office; that his son Harry Deer was born after the opening of the Greek Land office and "has been dead about two years."

February 20, 1905, Joe Deer further testified in the

matter of the application for the enrollment of Harry (or Harry) Deer, presenting a memorandum book containing the following entry: "Thomas Deer born Feb. 19, 1901. Died Jan. 8, 1903". The testimony taken on this date further shows that the Harry Deer for whom application was made is one and the same person as Thomas Deer whose name appears in said memorandum.

March 9, 1905, Joe Deer further testified that the child referred to in record introduced in previous hearing "is my son Thomas Deer, nicknamed Harry"; that the Harry referred to by the Commission was the child of Mahaley Johnson and Barney

Secretary 3.

enrollment of Ioannas Deer, deceased, on October 16 and October 24, 1904.

Records of proceedings had February 20, March 2 and March 10, 1904, in the matter of the application for the enrollment of Harry Deer, deceased, also on October 24, 1904, in the matter of the application for the enrollment of Thomas Deer, deceased, as citizens by blood of the Greek Nation, are attached to and made part of the record transmitted herewith; the application for the enrollment of Harry Deer, deceased, being consolidated with and made part of the Greek enrollment case of Ioannas Deer, deceased.

A review of the evidence in this case in chronological order shows as follows:--

April 22, 1904 Joe Deer made original application for the enrollment of his wife, Ioannas Deer, deceased, as a citizen by blood of the Greek Nation, testifying that his said wife died in July of the year that the land office opened.

October 10, 1904, William Stedard testified that said applicant died March 25, 1899; that the date of death was put on record by Tazak Henner, the town clerk at that time. October 21, 1904, said William Stedard introduced

OT.M.474
OT.M.848.

11
Kushkoo, Indian Territory, March 6, 1908.

The Honorable,

The Secretary of the Interior.

Sir:

February 28, 1908, there was forwarded to the Depart-

ment the record in the matter of the application for the emulsi-
ment of Louanna Deer, deceased, as a citizen by blood of the Creek
Nation, together with decision in same dated February 21, 1908.

Under date of April 3, 1908, the Department remanded

said case, directing the Commission to secure further evidence

as to the exact date of death of Louanna Deer and as to the

identity of Hardy Deer, further directing that the Commission

pass upon both applications.

In accordance with Departmental instructions further

proceedings were had in the matter of the application for the

M.I.H. 2

Territory, May 12, 1906, and that the Creek Nation will be permitted to submit such evidence as it may desire relative to the points suggested in the letter of the Department quoted above. You are further notified that testimony will be heard at the same time and place in the matter of the application for the enrollment of Sandy Deere (deceased) as a citizen by blood of the Creek Nation.

Respectfully,

Commissioner in Charge

OT 474
OT 475

Muskogee, Indian Territory, April 12, 1908.

M. L. Hoff.

Attorney for the Creek Nation,
Muskogee, Indian Territory.

Sir:

January 21, 1908, the Department denied the application of Joe Deere for the enrollment of his deceased wife, Louanna Deere, as a citizen by blood of the Creek Nation. April 3, 1908, the Department remanded said case stating "to clear up all doubt as to the date of death of both Louanna Deere and Sady Deere, you are requested to secure, if possible, the testimony of the son of Luke Henrich as to the authenticity and correctness of the entry claimed to have been made by him in the record book of Arbokache town, and also to have Joe Deere to produce such records as may be in his possession or obtainable to show the exact date of death of Sady Deere and Louanna Deere and to inquire of him whether Sady Deere was the son of Louanna Deere, deceased, or a later wife, and whether his name was Joe Deere or Joe Deere."

You are hereby notified that the case has been set for re-hearing before the Commission, at its office in Muskogee, Indian

J. D. . R.

Further evidence in the matter of the application made by you for

the enrollment of your deceased son, Larry Deere.

The Creek Nation will be given an opportunity to introduce

evidence at the same time.

Respectfully,

Commissioner in Charge.

Respected,

OT RN 474
OT RN 845

Muskogee, Indian Territory, April 13, 1905.

Joe Doore,

Morse, Indian Territory.

Dear Sir:

January 21, 1905, the Commission denied the application for the enrollment of your deceased wife, Louanna Doore, as a citizen by blood of the Creek Nation. April 3, 1905, the Department re-

manded said case and directed the Commission to secure further evidence relative to the exact date of the death of said Louanna

Doore.

You are hereby advised that the Commission desires the testimony of the son of Tunka Hemen as to the authenticity and correctness of the entry claimed to have been made by him relative to the death of said Louanna Doore in the records of Ardmore Town. You are notified to produce such records as may be in your

possession, or which you will be able to obtain, to show the exact date of the death of said Louanna Doore and also the exact date of the birth and death of your son, Sandy Doore (deceased).

You are also notified that this case is set for rehearing at the office of the Commission, in Muskogee, Indian Territory, May 13, 1905, and that at the same place, the Commission desires

En. 474
En. 845

I.S.W.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the applications for enrollment of
Joanna Deer (or Dears) and Sady (or Bordie, or Sady or Himer)
Deer (or Dears or Himer), both deceased, as citizens by blood
of the Creek Nation.

D E C I S I O N.

The record in this case shows that on April 23, 1904,
Joe Deer appeared before the Commission to the Five Civilized
Tribes and made application for the enrollment of his wife, Joanna
Deer, deceased, as a citizen by blood of the Creek Nation.
It appears from the records in possession of this office
that on April 19, 1901, Sady Deer was listed for enrollment (from
information) as a citizen by blood of the Creek Nation, on Creek
Indian card No. 3536, the age of said child as of the date his
name was listed being three and one half years, the name of his
mother appearing as Mahalia Dears, daughter of Joe and Louisa
Deer, the name of the father of said child not being indicated.
The listing of the name of Sady Deer on the above
mentioned date is considered in the nature of an application
for his enrollment.
Further proceedings were had October 10, 21 and 22
and November 9, 1904, February 20, March 9 and 10, and October
16 and 24, 1905.
The weight of evidence shows that Sady (or Bordie or
Sady or Himer) Deer (or Dears or Himer) died October 1, 1898
and established the date of death of Joanna Deer (or Dears) as
prior to April 1, 1899.
It is therefore ordered and adjudged that there is no
authority of law for the enrollment of said Joanna Deer (or Dears)
and Sady (or Bordie or Sady or Himer) Deer (or Dears or Himer),
both deceased, as citizens by blood of the Creek Nation and the
applications for their enrollment as such are accordingly denied.

Commissioner.

Wakarusa, Indian Territory.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., March 10, 1905.

In the matter of the application for the enrollment of Garty Deere, deceased, as a citizen by blood of the Creek Nation.

MAHALEY JOHNSON, being duly sworn, testified as follows:

Through Alex Posey, Official Interpreter:

BY COMMISSION:

Q What is your name? A Mahaley Johnson.
Q What is your age? A I do not know how old I am. Probably 30.
Q What is your post office address? A Okemah.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Arborescens.
Q Did you have a child named Garty Deere? A Yes, sir.
Q Who was Garty's father? A Barney Marshall.
Q Is Barney Marshall living? A Dead.
Q Do you know when Garty died? A I do not know when he died but the record on the grave-stone will show.
Q Where is he buried? A Right back of the house.

A grave indicated by the witness as that of Garty Deere is visited and upon the tomb-stone the following writing appears:
"Elmer Deere died Oct. 1, 1898, aged 1 yr. & 2 ms."

Q Does Elmer Deere mean Garty Deere? A Yes, sir, Elmer is his proper name. Garty is just a nick-name. He was named Garty in sport by the white renters on our place and Garty should be Elmer. He was a short fat little boy just like that boy there (indicating a very short and fat little boy). The white renters called him Garty.
Q Were you and Barney Marshall married? A Yes, sir, according to Indian custom.
Q Do you know whether or not Joe Deere ever had a boy named Garty? A He had a boy by his present wife who I think was nick-named Garty. The child died a year or two ago.
Q Why was your child Garty, named Deere instead of Marshall? A Joe Deere went before the Commission at Okemah when the Commission was there enrolling citizens and gave the child's name in as Garty Deere. Louanna Deere, a former wife of Joe Deere, was my mother and their names were given in together and that is how the mistake was made.

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I, D. O. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said case on said date.

Subscribed and sworn to before me this 12th day of May, 1905.

Notary Public.

Mr. 845.
DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Morse, I. T., March 9, 1905.

In the matter of the application for the enrollment of Sarty Deere, deceased, as a citizen by blood of the Creek Nation.
JOE DEERE, being duly sworn, testified as follows:

Through Alex Posey, Official Interpreter:

BY COMMISSION:
Q What is your name? A Joe Deere.
Q How old are you? A About fifty-seven.
Q What is your post office address? A Morse.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Arborescence.
Q You have heretofore testified in this case have you not? A Yes, sir.
Q You stated in your testimony that you had a record of the death of Sarty Deere at your home. Have you that record now? A The record to which I referred is about my son, Thomas Deere, who was nicknamed Sarty. Upon investigation I find that the Sarty Deere about whom you are wanting information was another person. I want to take this opportunity to correct the statements I made. I was in error.
Q Who are his parents? A Mahaley Johnson is his mother.
Q Who was his father? A Barney Mahaley.
Q Are the parents of Sarty living? A The father is dead but the mother is living.
Q Where does Mahaley Johnson live? A He lives about three miles south-east of Morse.
Q Do you know when Sarty Deere died? A I think the child died in March of the year the land office opened and just before my wife, Loanna Deere, died. The child should have been named Sarty Mahaley instead of Sarty Deere. That is what caused me to be misled in the testimony I gave the other day and thought it was meant for my son, Thomas, who was nicknamed Sarty.
Q How old was Sarty Deere at the time of his death? A The child must have been over two years old. He was running about and talking fluently at the time he died.
Q Do you know whether or not a record was made of his death? A I think not. The mother ought to be able to give you all the information you want.
Q When did you wife, Loanna Deere, die? A Six days before the land office opened and Sarty died before she died.

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I, D. C. Briggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 12th day of May, 1905.

Notary Public.

Ex. 845. ---2.

Q Is she living? A She is living.
Q To what town does she belong? A Weymouth.

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I, W. C. Smith, on oath state that the above and foregoing is a
true and correct statement of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 2 day of April 1901.

W. C. Smith
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE WIXX CIVILIZED TRIBES.
Oklahoma, I. T., February 20, 1903.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Sarty Deere, deceased, as a citizen by blood of the
Greek Nation.

JOE DEERE, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Joe Deere.
Q How old are you? A Fifty-seven.
Q What is your post office address? A Morse.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Ardmore.
Q Did you have a son named Sarty Deere? A Yes, sir, that was his
proper name but he was afterwards named Thomas Deere.
Q You have heretofore testified in this case have you? A Yes, sir.
Q You stated in your testimony before the Commission, at Ardmore,
November 2, 1902, that you had a record of the birth and death of
Sarty, have you that record now? A Yes, sir.

The witness presents a pocket memorandum book in which is
found the following entry: "Thomas Deere born Feb 18th 1901
died Jan. 8, 1903."

Q This record refers to the birth and death of Sarty Deere does it?
A Yes, sir, Sarty and Thomas are the same person.
Q Who made this record? A Barney Marshall.
Q When did he make this record? A He made the record relative to
his birth the same day he was born and the record of his death the
same day he died.
Q Is this the original record that you made? A The original
record was made in a book, which I have at home, containing the dates
of the birth and deaths of various persons. The record in the
memorandum-book which you have is only a transcript.
Q Is the record in the book which you have at home written with pen
or pencil? A With a pencil.
Q Is that record written in Greek or English? A The record which I
have at home is written in Greek. The record which you have was
transcribed by my daughter, Minnie.
Q Why did you not bring the original record? A I thought that the
record transcribed would answer as well as the original and when I
learned yesterday that you desired the record I had my daughter
transcribe it in this book so I could bring it in to-day.
Q How large a book is that in which the original record is written?
A It is a thin-book and inconvenient to carry about in one's
pocket.
Q The Commission desires to examine the book in which the original
record is written? A You may do so any time you come to my house.
Q Is Barney Marshall living? A He was killed.
Q Did he make the record at your request? A Yes, sir. He could
read and write both Greek and English and made most of the record in
the book which I have at home. Some are in English and some are in
Greek.
Q How old was Sarty at the time of his death? A I do not know how
old he is but he was as old as the record shows him to be.
Q Was he old enough to work? A Yes, sir, he could run about in the

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 2, 1904.

In the matter of the application for the enrollment of Iosanna
Deere and Gary Deere as citizens by blood of the Creek Nation.

JOE DEERE, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Joe Deere.
Q How old are you? A Fifty-six.
Q What is your post office address? A Morse.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Arbecoche.
Q Did you know Iosanna Deere? A Yes, sir.
Q Is she living or dead? A Dead.
Q How long has she been dead? A She died six days before the Creek
Land Office opened.
Q Are you positive that she died six days before the land office
opened? A Yes, sir, I am positive. She had secured the numbers of
her land and had made preparations to go before the Commission and
file upon her land on the day the land office opened and died before
she could do so.
Q What relation was she to you? A She was my wife.
Q Did you know Gary Deere? A He was my son.
Q Is he living or dead? A Dead.
Q How long has he been dead? A He has been dead about two years.
Q Did he die before or after the opening of the Creek Land Office?
A He was born after the opening of the Creek Land Office.
Q How long after the opening of the Creek Land Office did he die?
A I do not know but he was something like a year old when he died.
Q How long after the Creek Land Office opened was he born? A About
a year.
Q Was there a record made of the date of the birth and death of
this child? A Yes, sir, I have a record at home.
Q Upon what is that record made? A In the record book of the Town.
Q Can you furnish the Commission with that record? A Yes, sir, I
am going to Muskogee in a short time and will carry the record with
me for the inspection of the Commission.

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I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 16 day of November, 1904.

Notary Public.

CR EN 842

CR EN 842

W. 844

Waukegan, Indian Territory, November 22, 1908.

D. A. McDougall,
Attorney for Seville Clinton,
Sapulpa, Indian Territory.

Dear Sir:

You are hereby advised that under date of November 12, 1908, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, dated October 12, 1908, denying the application of Seville Clinton for enrollment as a Creek Freedman.

Respectfully,

Acting Commissioner.

Wn. 844

Muskogee, Indian Territory, November 22, 1908.

M. L. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that under date of November

12, 1908, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, dated October 12, 1908, denying the application of Bertha Clinton for enrollment as a Creek freedman.

Respectfully,

Acting Commissioner.

En. 844

Muskogee, Indian Territory, November 22, 1908.

Bertha Stanton,

Sapulpa, Indian Territory.

Dear Madam:

You are hereby advised that under date of November 18, 1908, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, dated October 12, 1908, denying your application for enrollment as a Creek freedman.

Respectfully,

Acting Commissioner.

MMW
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C T Larabee
Acting Commissioner

Very respectfully,

Decision adverse to the applicant is recommended.

In view of the record the approval of the Commissioner's

is a descendant of a person whose name appears thereon.

that the applicant is identified on the Dunn roll, nor that she

Greek Nation or by any United States tribunal. It does not appear

rolled or admitted to citizenship by any tribal authority of the

The record shows that the applicant has never been en-

the applicant.

October 12, 1905, the Commissioner decided adversely to

for enrollment as a Creek freedman by Servilia Clanton.

transmitting the record of the application made August 27, 1904,

missioner to the Five Civilized Tribes, dated October 13, 1905.

I have the honor to enclose a report from the Com-

Sir:

The Secretary of the Interior.

The Honorable,

Land
83801-1905

WASHINGTON. November 3, 1905.
OFFICE OF INDIAN AFFAIRS,
DEPARTMENT OF THE INTERIOR.

Refer in reply to the following

844 ✓
I.T.D. 14520-1905
WASHINGTON. November 12, 1905
DEPARTMENT OF THE INTERIOR
THE

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

October 12, 1905, you transmitted the record in the
matter of the application for the enrollment of Servilia Clanton as
a Creek freedman, including your decision of October 12, 1905,
rejecting said application.

Reporting November 3, 1905, the Indian Office recommends
that your decision be approved. A copy of its letter is inclosed.
The Department concurs in said recommendation, and your
decision is hereby affirmed.

Respectfully,

Thos Ryan
First Assistant Secretary

1 inclosure

Cr. No. 644

Muskogee, Indian Territory, October 12, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Seavilla Clinton as a Creek Freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated October 12, 1905.

Respectfully,

Commissioner.

Through the

Commissioner of Indian Affairs.

AG-42

Cr. No. 844

Muskogee, Indian Territory, October 13, 1905.

W. L. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Serwila Clinton, as a Creek Freedman.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

AG-42

OT. IN. 844

Muskegon, Indian Territory, October 12, 1908.

D. A. McDougall,

Sapulpa, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Divided Tribes in the matter of the application for the enrollment of Bertha Stanton, as a Greek freeman.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

AG-41

Dr. H. M. 844

Managers, Indian Territory, October 13, 1908.

Bertie Clanton,

Sapulpa, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of your application for enrollment as a Creek freedman, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

AG-40

888

844

Muskogee, Indian Territory, December 28, 1904.

Seville Stanton,

Sapulpa, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of December 28, relative to your application for enrollment as a citizen of the Creek Nation. It is stated that your principal witness is now and for

some time has been sick in bed. You request that the matter be continued until a later date.

In reply you are advised that the case is continued and you will be allowed a reasonable time within which to submit additional evidence.

Respectfully,

Chairman.

6788
Greek No. 844.

Muskogee, Indian Territory, November 25, 1904.

Servilia Clanton,

Sapulpa, Indian Territory.

Dear Madam:

August 27, 1904, you appeared before the Commission and made application for enrollment as a Creek Freedman. At the conclusion of the evidence then offered, the case was continued.

You are hereby notified that you will be allowed thirty days from date within which to introduce additional evidence, and, in the event that no further evidence is offered within the time mentioned, the case will be adjudicated upon the record now before the Commission.
Respectfully,

Commissioner in Charge

Register.

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Creek No. 844.

Muskogee, Indian Territory, November 28, 1904.

W. A. McDougal,

Attorney for Savilla Clanton,
Sapulpa, Indian Territory.

Sir:

August 27, 1904, Savilla Clanton appeared before the Commission and made application for enrollment as a Creek Freedman. You appeared as her attorney. At the conclusion of the evidence then offered, the case was continued.

You are hereby notified that you will be allowed thirty days from date within which to introduce additional evidence, and, in the event that no further evidence is offered, the case will be adjudicated upon the record now before the Commission.

Respectfully,

Commissioner in Charge.

Q. Q.

No. 844

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
Servilia Clinton as a Creek Freedman.

DECISION.

The record of the case shows that on August 27, 1904, Servilia Clinton appeared before the Commission to the Five Civilized Tribes and made application for enrollment as a Creek Freedman. Further proceedings were had July 8, 1905. It does not appear from the evidence that the applicant herein is identified on the roll of Creek Freedmen made by J. W. Dunn prior to March 14, 1867, nor that she is a descendant, born since said roll was made, of a person whose name appears thereon. The evidence shows that the applicant has never been enrolled as a citizen of the Creek Nation, nor has she ever been admitted to citizenship in said Nation by the Creek tribal authorities, the Commission to the Five Civilized Tribes, or the United States Court in Indian Territory. It is, therefore, ordered and adjudged that there is no authority of law for the enrollment of said Servilia Clinton as a Creek Freedman, and the application for her enrollment as such is accordingly denied.

Commissioner.

Muskogee, Indian Territory.

OCT 12 1905

B.B.

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COMMISSIONER TO THE CIVILIAN DIVISION
DEPARTMENT OF THE INTERIOR

In the matter of the application for the enrollment of
Neville G. Galt, deceased, as a Greek Freedom

SUPPLEMENTAL STATEMENT

That the records of the Greek Nation in the possession of this
office examined and the applicant herein is not identified as
any of said rolls.

~~CONFIDENTIAL~~

Witness, Indian Territory.

1902 - 1905

The record of the proceedings of the Commission under the act of June 10, 1898, examined and it does not appear that application was made for citizenship in the Greek Nation under the provisions of said act by the applicant.

Examination by Mr. McDougal:

Q Do you remember your father? A Yes sir.
Q Did you ever hear him say anything about your citizenship? A He told me one evening to give my name to the United States man; someday I might have a right here.
Q Do you remember your mother? A No sir.
Q She disbelieve your father did? A Yes sir.
Q You don't know whether your father was a slave or an Indian? A I can't tell, but I know he had a boss.
Q That's all? A Yes sir.
Q What do you mean by a boss? A He worked under somebody.
Q What did he work at, do you know? A No sir; I never stayed with him very much.

By the Commission:

Q Do you remember when the war was going on? A No sir.
Q Do you know whether you were born during the war or after? A No sir.
The applicant has the appearance of being older than 40 years old; her hair is gray, and otherwise appears to be more than 40 years old.

By Mr. McDougal:

Q What is the farthest back you can remember? A I don't know; first thing I can remember I was fishing; I don't know my exact age.
Q What place did you go to school in Kansas? A Lawrence.
Q How long did you go to school there? A Till I was good steady.

Attorney for applicant requests time in which to introduce further testimony later. Granted.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Hains

Subscribed and sworn to before me this 3rd day of October, 1904.

~~Notary Public.~~

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. AUGUST 27, 1904.

In the matter of the application for the enrollment of Servilia
Clanton as a Creek Freedman.

D. A. McDougall, attorney for applicant.
M. L. Mott, attorney for Creek Nation.

Servilia Clanton being sworn testified as follows:

Examination by the Commission:

Q What is your name? A Servilia Clanton.
Q How old are you? A Between 35 and 40.
Q What is your post office address? A Sapulpa.
Q Do you make application for enrollment as a citizen by blood of the
Creek Nation or Freedman? A I don't know exactly; I think it is by freed-
man.
Q Can't you get nearer your age than 35 or 40? A No sir.
Q What town in the Creek Nation do you claim to belong to? A I was too
small to know.
Q Where were you born? A Creek Nation.
Q How long did you live in the Creek Nation? A I don't know.
Q About 4 or five years? A Till I was taken to Kansas and went to school.
Q Do you live in the Creek Nation now? A Yes sir.
Q How long have you been living here? A About 8 years.
Q Did you live in Kansas before that? A Yes sir.
Q You were not going to school prior to 8 years ago? A No sir, I was
living in the Chickasaw Nation.
Q What town in the Creek Nation do you claim to belong to? A I don't
know.
Q Did you ever draw any money from the Creek Nation? A No sir.
Q What is the name of your father? A Andrew Brown.
Q Is he a citizen of the Creek Nation? A Yes sir.
Q Was he a slave? A I don't know; I think he was as near as I can say;
he had a boss and he must have made him a slave.
Q What is the name of your mother? A I don't know; she's dead.
Q Don't you know her name? A No sir.
Q Have you ever been known by any other name except Brown and Clanton?
A Thomas.
Q Any tother? Is that all? A I don't know.
Q Have you ever been known by any other names except Clanton, Brown and
Thomas? A That's all.
The Dunn Roll examined and the applicant not identified on that
roll nor is any person found on that roll whose given name is Servilia;
the Dunn roll further examined and the father of the applicant not iden-
tified thereon.
Q Did you ever make application to any authority for citizenship in the
Creek Nation? A No sir.
Q How long has your name been Clanton? A 11 years.
The records of the Colbert Commission examined and it does not ap-
pear that application was made to that Commission for citizenship in the
Creek Nation by the applicant.

CR EN 844

CR EN 844

Dr. H. B. 843

Managers, Indian Territory, June 29, 1906.

M. I. Mott,

Attorney for Creek Nation,

Managers, Indian Territory.

Sir:

There is inclosed herewith a copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Mollie Marshall, deceased, as a citizen by blood of the Creek Nation. You are hereby notified that the Creek Nation will be allowed fifteen days from the date hereof within which to protest against said decision, and if at the expiration of that time no such protest has been made said Mollie Marshall will be regularly listed for enrollment as a citizen by blood of the Creek Nation.

Respectfully,

Commissioner.

IM-883

188

LETTER REPLY TO THE FOLLOWING

DEPARTMENT OF THE INTERIOR

D. C. 75.

COMMISSION TO THE FIVE CIVILIZED TRIBES

COMMISSIONERS

TAMM BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.
W. E. STANTLEY.

ALLISON I. AYLEWORTH.
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 27, 1904.

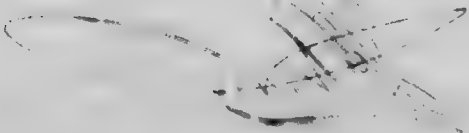
Philip Marshall,

Holdenville, Indian Territory.

Dear Sir:

There is on file with the Commission an affidavit executed by your relative to the death of Mollie Marshall, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is asserted that further evidence be submitted in the case. You are therefore required to appear before the Commission to the Five Civilized Tribes at its office in Muskogee, Indian Territory, with two witnesses who know the date of the death of said Mollie Marshall, for the purpose of being examined under oath.

Respectfully,



Commissioner in Charge.

Wewoka

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS
HENRY J. DAWES
TAMM BIXBY
THOMAS B. HART
ALLISON J. AINSWORTH
SECRETARY

Wewoka, Ind. Ter., March 27, 1902.

Wewoka Mercantile Co.

Wewoka, Ind. Ter.

Gentlemen:

The Commission has received information that Mollie
Marshall, sometimes called Mollie Low, died and was buried near Wewoka.
It has also been stated that her burial material was purchased from
you.

In order to establish the date of her death, you are
respectfully requested to furnish the Commission with the date on
which the burial material was purchased, together with any other
information which you may be able to give.

Yours truly,

Commissioner in Charge.

Wewoka
of about 1900
from as it was probably
We have advised you
OCH.

INDEXED
 COMMUNICATION TO THE INDEXED
 RECEIVED
 APR 7 1905
 15545

Wewoka Trading Co.,
 Wewoka, I. T.
 (No date.)

State that they have no
 record of having sold material
 for burial of Nellie Marshall.

Wewoka, Ind. Ter.

Wewoka Mercantile Co.

Muskogee, Ind. Ter., March 27, 1902.

Gentlemen:

The Commission has received information that Nellie
 Marshall, sometimes called Nellie Low, died and was buried near Wewoka.
 It has also been stated that her burial material was purchased from
 you.

In order to establish the date of her death, you are
 respectfully requested to furnish the Commission with the date on
 which the burial material was purchased, together with any other
 information which you may be able to give.

Yours truly,

QUEEK

JUN 28 1906

Manakoe, Indian Territory.

Commissioner.

rollment as such is accordingly granted. March 1, 1901 (31 Stats., 861) and the application for her enrollment of the Greek Nation, in accordance with the provisions of blood of the Greek Nation, is entitled to be enrolled as a citizen by Marshali, deceased, ordered and adjudged that said Mollie

April 1, 1899. the evidence establishes the date of death as subsequent to a grown woman at the time of her death and a preponderance of The evidence shows that Mollie Marshali, deceased, was

roll number 4796. ed by the Secretary of the Interior March 28, 1902, opposite a partial list of citizens by blood of the Greek Nation approved was the daughter of Aggie Marshali, whose name is contained in the possession of this office, that Mollie Marshali, deceased, It appears from the evidence herein and the records in and January 19, 1906.

December 10, December 17 and December 27, 1904, March 29, 1905 Further proceedings were had November 8, December 9,

of the Greek Nation. ture of an application for her enrollment as a citizen by blood shall, deceased, which said affidavit is considered in the matter of the death of Mollie Marshali, there was filed with the Commission to the Five Civilized Tribes an affidavit in the matter of the death of Mollie Marshali, The record in this case shows that on January 23,

DECISION.

Greek Nation. of Mollie Marshali, deceased, as a citizen by blood of the In the matter of the application for the enrollment

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

En. 843.

I.S.M.

-S-

I, Anna Garrison, on oath state that the above and foregoing is a true and correct transcript of my stenographic notes as taken in said cause on said date.

Anna Garrison

Subscribed and sworn to before
me this 19 day of January 1908.

Wm. L. Stewart
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskogee, Indian Territory, January 19, 1906.

In the matter of the application for the enrollment of
Mollie Marshall as a citizen by blood of the Creek Nation.

PHILLIP MARSHALL, being duly sworn testified as follows
through Alex Posey official interpreter.

Q What is your name? A Phillip Marshall.
Q What is your father's name? Oasage Harjo.
Q You have testified before about this case have you? A Yes, sir.
Q Do you know Aggie Marshall? A Yes, sir.
Q Is she living? A Yes, sir.
Q Is she your wife? A Yes, sir.
Q Do you know Mollie Marshall? A She is my daughter.
Q Is she living? A Yes, sir.
Q Is that the same person as Mollie Marshall about whom you have
testified before? A Different person. Mollie is dead.
Q Did Mollie die before or after the Creek land office opened?
A Died after the opening of the land office.
Q Do you remember that event, the opening of the Creek land office?
A Yes, sir.
Q Where was it opened? A At this place.
Q Were you living in Muskogee at that time? A I was living where
I live now, near Holdenville.
Q Did you come up here that first day of the filing? A People had
been filing some time before I came to file.
Q Didn't you hear about that opening? It was a big event, a lot
of Indians here and a big celebration? A Yes, sir.
Q About how long after the Creek land office opened here in
Muskogee was it before Mollie died? A About a year.
Q What month do you think Mollie died in? A I think she died in
February.
Q The Creek land office opened April 1, 1899, was it the February
before that or the February after or how near to that that child
died? A She died February the next year after the land office
opened.
Q How old was she when she died? A Fifteen or sixteen years old.
Q You were not the father of Mollie were you? A Step father.
Q Was Aggie the mother? A Yes, sir.
Q What was the name of the father of the child? Iapohoke Harjo.
Q Was she ever known by any other names? A She was known simply as
Mollie.
Q Wasn't she known as Emma Lowe? A No Emma Lowe is a man.
Q Was Emma Lowe a brother of Mollie? A Yes, sir.
Q Full brothers? A Yes, sir.
Q How does it come she was called Marshall and a full brother of
her was called Lowe? A I presume she was called Mollie Marshall
because she lived with me.
Q Didn't Emma Lowe live with you? A Emma Lowe used to live
with me he is not known as Marshall; he is known as Emma Lowe.
I don't know why he was called Lowe.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

AFIDAVIT OF RELATIVE.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of _____
I, _____
of _____, on oath state that I am of
years of age, and a citizen, by _____ of the _____ Nation;
that my post office address is _____ Ind. Ter.;
that I was personally acquainted with _____ (Here insert name of post office.)
who was a citizen, by _____ of the _____ Nation;
and that said _____ (Here insert name of deceased.) died on the _____ day of _____
January, 1900, at _____
Witness my hand and seal this _____ day of _____
1900.
Notary Public

75
For 1890-1891
J. H. H. H.

IN RE
THE DEATH OF

William H. H. H.
a citizen of the

State of New York
V. H. H. H.

Approved
I

Commissioner.

Wm. H. H. H.
J. H. H. H.
J. H. H. H.

See New York
J. H. H. H.
J. H. H. H.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

1891
J. H. H. H.
J. H. H. H.

ACTING CHAIRMAN

Em. 843.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Holdenville, I. T., March 29, 1905.

In the matter of the application for the enrollment of Mollie Marshall, deceased, as a citizen of the Creek Nation.

AGGIE MARSHALL, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Aggie Marshall.
Q How old are you? A I do not know.

Witness appears to be about fifty years of age.

Q What is your post office address? A Holdenville.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Tuckabatche.
Q Did you know Mollie Marshall? A She was my daughter.
Q Do you know when she died? A She died after people began filing upon their allotments but I do not know just when she died.
Q Do you know any one who had filed upon his land at the time she died? A I cannot name any one, but I know people had been making selection of land for about a year at the time she died. I think she died in the month of February, in the year after people first began filing.
Q How old was she at the time of her death? A She was over ten years old.
Q What relation was she to Phillip Marshall? A No relation by blood.
Q Do you know whether or not a record was made of her death? A I do not think any record was made.
Q Are you positive that she died after the Creek Land Office opened? A Yes, sir.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 19th day of July, 1905.

Notary Public.

E.C.G.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

En. 843.

--:0:--

In the matter of the application for the enrollment of
Mollie Marshall, deceased, as a citizen by blood of the Creek
Nation.

--: SUPPLEMENTAL STATEMENT: --

The records of the Commission further examined and it
is found that a citizenship certificate was issued for
Philip and Aggie Marshall.
The records of the Commission further examined and it
is found that a citizenship certificate was issued for
Willie Harjo April 24, 1900.
The records further examined and it is found that a
citizenship certificate was issued for Philip Marshall
November 20, 1901.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Commissioner.

February 9, 1905.
Muskegee, Indian Territory.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. DECEMBER 27, 1904.

No. 843.

In the matter of the application for the enrollment of Mollie Harjo, deceased, as a citizen by blood of the Creek Nation.

Willie Harjo being duly sworn, testified as follows, through Alex Posey, official interpreter:

BY COMMISSION:

Q What is your name? A Willie Harjo.
Q How old are you? A 29.
Q What is your post office address? A Yeager.
Q Are you a citizen of the Creek Nation? A Yes sir.
Q To what town do you belong? A Tukabatchee.
Q Do you know a step-daughter of Phillip Marshall named Mollie Marshall?
A Yes sir.
Q When did she die? A I don't know how long she has been dead, but she died after the land office opened.
Q How do you fix it in your mind that she died? A She was living at the time I came before the Commission and made selection of land for myself and family.
Q How long ago has that been? A It's been about 4 years ago.
Q Are you positive that Mollie was living at the time you filed?
A Yes sir; I came before the Commission in February and when I returned home I remember seeing her.
Q How old was she when she died? A She was a grown woman and had a child; probably about 18 years old.
Q Was she married? A Phillip was keeping her.
Q Is that child living? A I don't know; he has a number of children.
Q Are you related to Mollie? A Her mother was my aunt.
Q Who were the parents of Mollie? A Harjo was the mother and her father has been dead so long I have forgotten what his name was.
Q Is Agie living? A She was living yesterday.
Q What is her post office address? A Near Yeager.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case and this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Hains

Subscribed and sworn to before me this 27th day of December, 1904.

Notary Public.

ΣΥΣΤΗΜΑ

enrollment of Mollie Marshall as a citizen by blood of the Greek Nation.

Through a Tax Payer Official Interpreter:

Q selection of lands? A Mollie Marshall was not at that time living.
Q advised the members of your town to go before the Commission to make
Q "om Culler aware that Mollie Marshall was living at the time you
Greek Land Office was opened. I was present at her funeral.
Q How long before? A She had been dead a year or over when the
A she died before.
Q Did she die before or after the opening of the Greek Land Office?
Office? A Yes, sir.
Q Do you remember the circumstance of the opening of the Greek Land
Council the first time? A Yes, sir, she was dead.
Q Was Mollie Marshall dead when you were elected to the Greek
ed and served four years during Porter's first administration.
Q When were you again elected to the Greek Council? A I was elect-
years.
Q How long did you serve under Laparheche's Administration? A Two
Laparheche's administration.
Q When was you first elected to the Greek Council? A During
a year.
Q How long has it been since you went out of office? A Going on
Greek Council.
Q Do you know how long she has been dead? A She has been dead about
seven years, if not longer. she died before I became a member of the
Q Do you know how long she has been dead? A Yes, sir.
Q Were you well acquainted with her? A I knew her from girl-hood.
sir.

— 00 000000 —

Subscribed and sworn to before me this 29 day of December 1904.

Notary Public

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE RIVE CIVILIZED TRIBES.
Holdenville, I. T., December 10, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Mollie Marshall, deceased, as a citizen by blood of the
Greek Nation.

TOM CUTLER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Tom Cutler.
Q How old are you? A Sixty-five.
Q What is your post office address? A Yeager.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A I am a member of the Greek Council
for Muskogee Town.
Q Did you know a member of your town named Mollie Marshall? A Yes,
sir.
Q How long has she been dead? A She has been dead about four years.
I think she died about the tenth of February, four years ago.
Q Do you remember the circumstance of the opening of the Greek Land
Office? A Very well.
Q How did Mollie Marshall die before or after the opening of the
Greek Land Office? A She died after the opening of the land office.
Q How long after? A I don't think it was quite a year after the
land office opened.
Q What fixes it in your mind that she died after the opening of the
Greek Land Office? A Because the people had been going to Muskogee
and making selections of land for sometime and the members of my
town, at the instance of Lawyer Deere, were getting the numbers of
their land and otherwise getting ready to go before the Commission at
Muskogee for the purpose of filing upon their allotments, and because
at that time I had just been vaccinated and was not able to get out
to get the numbers of the land I desired to select as my allotment on
account of being vaccinated. At that time Mollie was living.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 21 day of December, 1904.

[Signature]
Notary Public.

Subscribed and sworn to before me December 20, 1904.
Full and true transcript of my stenographic notes as taken in said
I, D. C. Skaggs, on oath state that the above and foregoing is a
true and correct copy of the original notes as taken in said
cause on said date.

-----0000000000-----

Q Are you positive that Mollie died the same year you filed upon
your allotment? A Yes, sir.
Q How long after Mollie died did you file upon your allotment? A
About a month.
Q Was she living with you at the time of her death? A Yes, sir.
February.
Q When did you file upon your own land? A I think I filed upon my
allotment in March the same year Mollie died and I think she died in
February.
Q How long after Mollie died did you file upon your allotment? A
About a month.
Q Was there any record made of her death? A I made a record of her
death on a piece of paper but I have lost it.
Q Do you know any one who would know when she died? A I do not
know of any one who would be able to give any more definite informa-
tion than myself.
Q Do you know any one in your neighborhood who had made selection of
land when she died? A The people in my neighborhood were backward
about making selections of land and I don't think that any one in
my immediate neighborhood had filed upon his land at the time she
died.
Q Do you know any one in your neighborhood who had made selection of
section lines were established.
A Yes, sir, I am positive. I know that she died away after the
Q Are you positive that she died after the opening of the land office?
she died the 26 of February--I do not know the year.
Q Do you know in what month and in what year she died? A I think
A I think people were filing on their land at the time she died.
Q Did she die before or after the opening of the Creek Land Office?
Office? A Yes, sir.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Did she have any children? A No, sir.
Q Was she married? A No, sir.
Q How old was she at the time of her death? A She was about
eighteen years old.
Q How long has she been dead? A She has been dead over four years.
Q What relation was she to you? A She was my step-daughter.
Q Did you know Mollie Marshall? A Yes, sir.
Q To what town do you belong? A Muskogatche.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What is your post office address? A Holdenville.
Q How old are you? A About thirty-two.
Q What is your name? A Phillip Marshall.

By Commission:

Through Alex Posey Official Interpreter:

Follows:

Phillip Marshall, being duly sworn, testified as

Marshall as a citizen by blood of the Creek Nation.
In the matter of the application for the enrollment of Mollie

Yessier, I. T., December 9, 1904.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

A. 72.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 8, 1904.

In the matter of the application for the enrollment of Mollie Marshall as a citizen by blood of the Creek Nation.

LAWYER DEERE, being duly sworn, testified as follows:

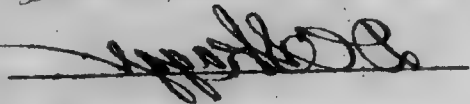
Through Alex Posey Official Interpreter:

BY COMMISSION:

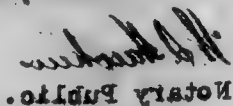
Q What is your name? A Lawyer Deere.
Q How old are you? A Over fifty.
Q What is your post office address? A Yeager.
Q What town in the Creek Nation do you belong to? A Tukabatchee.
Q Did you know Mollie Marshall? A Yes, sir.
Q What was the name of her mother? A Agie.
Q What was the name of her father? A Spokok Harjo.
Q Is Mollie living? A She is dead.
Q How long has she been dead? A She has been dead about six years.
Q How old was she when she died? A She was a grown woman at the time of her death and had about two children.
Q Are those children living? A Yes, sir, one of them is living.
Q What is its name? A Wattle Marshall.
Q Do you know whether or not land has been selected for Wattle? A Yes, sir.
Q Did Mollie Marshall die before or after the opening of the Creek Land Office? A She died before the opening of the Creek Land Office.
Q Are you positive that she died before the opening of the Creek Land Office? A Yes, sir.

-----00000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.



Subscribed and sworn to before me this 15 day of November, 1904.


Notary Public.

CR EN 843

CR EN 843

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

Wesley, Indian Territory, November 22, 1906.

REPLY IN REPLY TO THE FOLLOWING:
No. 842.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

In the matter of the application for the enrollment of
Mary Harjo, deceased, as a citizen by blood of the Creek Nation,
there is inclosed herewith the testimony of Kernungy Lowe and
Wylie Harjo, taken by the Creek Field Party October 16 and 23,
1906, together with copies of testimony heretofore taken in said

cause.

Respectfully,

[Signature]
in charge,
Creek Field Party.

JBM

Mary Harjo:
 application for enrollment of
 grandchild's testimony in re

Nov. 22, 1906.
 Welford, I. T.
 Posey, Alex.

| | | | | | | | |
|-------|--|-------------|--|----------|--|----------------------------|--|
| 50871 | | NOV 23 1906 | | Received | | COMMISSIONER TO THE SILENT | |
| No. | | Date | | By | | INDEXED | |

Creek No. 842.

Muskogee, Indian Territory, June 3, 1905.

Wynie Harjo,

Yeager, Indian Territory.

Dear Madam:

The Commission desires further evidence in the matter of the application for the enrollment of your minor child, Mary Harjo, deceased, as a citizen by blood of the Creek Nation.

You are advised to appear before the Commission at its office in Muskogee, Indian Territory, within twenty days from date with two witnesses who know the exact dates of the birth and death of said child, for the purpose of being examined under oath.

Respectfully,

Commissioner in Charge.

604

B. A. 78.

Muskegon, Indian Territory, November 28, 1903.

Wynie Harjo,

Yeager, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter of November 28, 1903, in which you state that one of your witnesses died. You state that you and one witness can appear, and ask if this will do.

November 14, 1903, you were advised as follows:

There are on file with the Commission affidavits executed by you relative to the birth and death of your minor child, Mary Harjo, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case. You are therefore required to appear before the Commission at its office in Muskegon, Indian Territory, with two witnesses who know the date of the birth and death of said child, for the purpose of being examined under oath.

You are now advised that you may appear before the Commission with one witness, and if, thereafter, any further evidence is necessary, you will be notified.

Respectfully,

Chairman.

8788

D. A. 75.

Muskogee, Indian Territory, November 14, 1902.

Wynia Harjo,

Holdenville, Indian Territory.

Dear M adam:

There are on file with the Commission affidavits executed

by you relative to the birth and death of your minor child, Mary

Harjo, who, it is claimed, is entitled to enrollment as a citizen

of the Creek Nation. It is desired that further evidence be sub-

mitted in the case.

You are therefore required to appear before the Commission

at its office in Muskogee, Indian Territory, with two witnesses who

know the dates of the birth and death of said child, for the purpose

of being examined under oath.

Respectfully,

Chairman.

Dr. C. W. # 842

I believe that further
evidence should be had.
The testimony is as to another
"Mary Thops" for better
is a fair blood and not
up or down. I have not
seen and believe the office
has been as to both of
Mary Thops was made by
the mother and nurse of the
child before me while I was
in charge of the case. I believe
that the child should be ex-
posed on the proof now on file.

E. W.

W. J. C.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

--:0:--

In the matter of the application for the enrollment of Mary Harjo, deceased, as a citizen by blood of the Creek Nation.

--: D E C I S I O N :--

The record in this case shows that on October 31, 1901, the affidavits of Wynie Harjo, relative to the death of Mary Harjo, were filed with the Commission at Muskogee, Indian Territory, which said affidavits are considered by the Commission as an application for the enrollment of said Mary Harjo, deceased, as a citizen by blood of the Creek Nation.

Further proceedings were had November 8, and December 9, 1904. The evidence shows that said Mary Harjo died prior to April 1, 1899.

It is, therefore, the opinion of the Commission that there is no authority of law for the enrollment of said Mary Harjo, deceased, as a citizen by blood of the Creek Nation, and that application for her enrollment as such should be denied, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

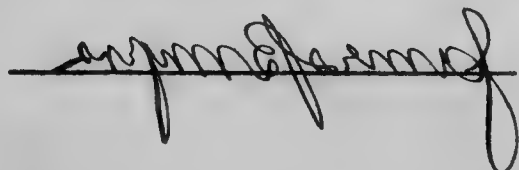
Commissioner.

Commissioner.

Muskogee, Indian Territory.

reference to, and which is entitled as Mary Brunner.

James B. Myers, being first duly sworn, states, that as stenographer to the Commissioner to the Five Civilized Tribes, he recorded the testimony in the foregoing proceedings, and that the above is a true, and correct transcript of his stenographic notes thereof.



Subscribed and sworn to before me,
this 16 day of May, 1906.


Notary Public

JBM

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
WYOMING, I. T., OCTOBER 23, 1906.

In the matter of the application for the enrollment of
Mary Harjo, deceased, as a citizen by blood of the Creek Nation.

WYNNE HARJO, being first duly sworn by, and examined
through, Alex Pomey, a Notary Public, and Official Interpreter,
testified as follows:

BY THE COMMISSIONER:

Q What is your name? A My proper name is Wona, my maiden
name was Yargee, and I am enrolled under that name.
Q How old are you? A I am 23.
Q What is your postoffice address? A Yeager.
Q Are you a citizen of the Creek Nation? A Yes sir, I belong
to Tukabatche town.
Q Who are your parents? A My mother is Annie Yargee, I have
forgotten the name of my father; he died while I was a baby.
Q Were you ever married to Miller Brumer? A No sir.
Q Did you ever have a child by him named Mary Harjo? A Yes sir,
but the child is already enrolled under the name of Mary Brumer,
the child was named for the father.
Q Did you ever make application for the child under the name of
Mary Harjo? A I do not remember of having made application
for the child under that name.
Q Did you ever have any other child besides Mary? A No sir,
she is the only child I ever had.
Q We have an affidavit executed October 31, 1901, by yourself and
George Yargee relative to the birth and death of a child named
Mary Harjo. Do you remember executing such affidavit?
A Yes sir, but that is a mistake, the child's name should have
been taken down as Mary Brumer instead of Mary Harjo. I have
already secured an allotment for the child and have received
deeds to it.
Q The dates of the birth and death in the affidavit mentioned are
given as March 15, 1899 and August 5, 1899, is that correct?
I do not know whether that is correct or not, it has been so
long that I have entirely forgotten when my child was born and when
it died; I remember that it was born in the Spring and died in
the Fall. I do not remember the month of its death. My
brother, George Yargee, could give you the exact dates.
Q Where does he live? A Near Yeager.
Q Did you make selection of land yourself for this child?
A I appeared before the Commission in person and made application
and afterwards my brother George filed for the child. I never
had but the one child and I know it is the same child you have

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
HOLDENVILLE, I. T., OCTOBER 16, 1906.

In the matter of the application for the enrollment of
Mary Harjo, deceased, as a citizen by blood of the Creek Nation.

KERNUNGGY LOWE, being first duly sworn by Alex Posey, a
Notary Public, and examined, testified as follows.
Through Alex Posey, Official Interpreter.

BY THE COMMISSIONER:

Q What is your name? A Kernunggy Lowe.
Q How old are you? A About 34.
Q What is your postoffice address? A Yeager.
Q Are you a citizen of the Creek Nation? A Yes sir, I belong
to Tukabatche town.
Q Are you acquainted with Winney Harjo and Miller Brumer?
A Yes sir, Miller Brumer is dead.
Q Have you ever known a minor child of theirs named Mary Harjo?
A Yes sir, Winney had a child by him, at least she claimed that it
was his child, but I do not remember now what the child's name
was.
Q Did Winney Harjo have any other children? A No sir, that was
the only child she ever had.
Q Was it an illegitimate child? A Yes sir, its parents were
never lawfully married.
Q Do you know when the child was born? A Winney lived in my
neighborhood and was frequently at my house and I knew the child
but I have forgotten the year in which she it was born and died.
I am positive though that it died before people began selecting
allotments, Winney was at my house a short while before the child
died, the child was sick and she came there to have medicine
made for it. I was living at that time on the old Tom Guller
place and that is how I know that it was before the Land Office
opened. I was not living there when the Land Office opened
but was living where I now live. I am sure the child died in
the preceding year. When Winney was at my house to have
medicine made for the child the section lines had been estab-
lished but no one had yet filed upon his allotment.
Q To what town does Winney Harjo belong? A Tukabatche.
Q Who are her parents? A I do not know who her father was but
her mother is Annie Huke or Annie Yager.
Q Where is Winney Harjo living at this time? A She is living
somewhere in the Dave Barnett neighborhood, near Barnard.
Q How old was this child when it died? A The child died, I
think, before it was a year old. I remember it was not able
to sit erect or to crawl.

James B. Myers, being first duly sworn, states, that as
stenographer to the Commissioner to the Five Civilized Tribes, he
recorded the testimony in the foregoing proceedings, and that the
above is a true, and correct transcript of his stenographic notes
thereof.

Subscribed and sworn to before me,
this 2 day of _____, 1906.

JBM

Notary Public.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of
 a citizen of the
 (Here insert name of post office)
 and died on the 5th day of
 (Here insert name of deceased)
 (Here insert name of deceased)
 1899

AFFIDAVIT OF RELATIVE

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
 District.
 I, *Wm. H. Hays*, on oath state that I am
 years of age and a citizen, by
 of the
 Nation;
 that my post office address is
 (Here insert name of post office)
 of
 (State relationship, as the father, an uncle, a cousin, etc.)
 who was a citizen, by
 of the
 Nation;
 and that said
 (Here insert name of deceased)
 died on the 5th day of
 (Here insert name of deceased)
 1899

Subscribed and sworn to before me this
 31st day of
 October
 1899
 Notary Public.
 (Witnesses)
 (Must be Two)
Wm. H. Hays
Wm. H. Hays
 WITNESSES TO MARK

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
 INDIAN TERRITORY,
 District.
 I, *Wm. H. Hays*, on oath state that I am
 years of age, and a citizen, by
 of the
 Nation;
 that my post office address is
 (Here insert name of post office)
 that I was personally acquainted with
 who was a citizen, by
 of the
 Nation;
 and that said
 (Here insert name of deceased)
 died on the 5th day of
 (Here insert name of deceased)
 1899

Subscribed and sworn to before me this
 31st day of
 October
 1899
 Notary Public.
 (Witnesses)
 (Must be Two)
Wm. H. Hays
Wm. H. Hays
 WITNESSES TO MARK

Witten in Co. Court 1882.

22

IN RE
THE DEATH OF

Wm. H. Hays
Petitioner of the
Estate of

Adm'r.

Approved _____ 1882

Commissioner.

18/3/01.

Per Clerk General Court #212
John W. Hays #212

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

FILED

Dec 31/01

ACTIVE CHAIRMAN

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

I, Wm. H. H. H. H. H., Application for Enrollment, as a citizen of the
of March 15, born on the 15 day of March
(Here insert name of child)
Name of Father: Wm. H. H. H. H. a citizen of the Cherokee Nation.
Name of Mother: Wm. H. H. H. H. a citizen of the Cherokee Nation.
Post-office Chickasaw

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of Cherokee
I, Wm. H. H. H. H., on oath state that I am
years of age and a citizen, by Wm. H. H. H. H. of the Cherokee Nation;
that Wm. H. H. H. H. and the lawful wife of Wm. H. H. H. H. who is a citizen, by Wm. H. H. H. H. of the Cherokee Nation; Wm. H. H. H. H. child was
(male or female)
born to me on March 15 day of March 1888 that said child has been
named Wm. H. H. H. H.
Witnesses to Mark: Wm. H. H. H. H. (Must be Two Witnesses.)
Subscribed and sworn to before me this 31 day of October 1888.
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of Cherokee
I, Wm. H. H. H. H., on oath state that I
attended on Wm. H. H. H. H. and a lawful wife of Wm. H. H. H. H.
on the March 15 day of March 1888 that there was born to her on
said date a Wm. H. H. H. H. child; that said child is now Wm. H. H. H. H. and is said to have been
(male or female)
named Wm. H. H. H. H.
Witnesses to Mark: Wm. H. H. H. H. (Must be Two Witnesses.)
Subscribed and sworn to before me this 31 day of October 1888.
Notary Public.

72
Written on this card 1881

20

IN RE

Application for Enrollment of

INFANT CHILD

is a citizen of

Nation.

180

Approved

Commissioner.

10/31/01

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

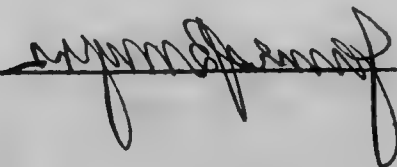
FILED

Oct 31 1901

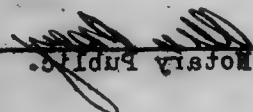
ACTING CHAIRMAN

reference to, and which is enrolled as Mary Bremer.

James B. Myers, being first duly sworn, states, that as stenographer to the Commissioner to the Five Civilized Tribes, he recorded the testimony in the foregoing proceedings, and that the above is a true, and correct transcript of his stenographic notes thereof.



Subscribed and sworn to before me,
this 11 day of May, 1906.


Notary Public.

JBM

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
WYOMING, I. T., OCTOBER 23, 1906.

In the matter of the application for the enrollment of
Mary Harjo, deceased, as a citizen by blood of the Creek Nation.

WYNIE HARJO, being first duly sworn by, and examined
through, Alex Posey, a Notary Public, and Official Interpreter,
testified as follows:

BY THE COMMISSIONER:

- Q What is your name? A My proper name is Wone, my maiden
name was Yargee, and I am enrolled under that name.
- Q How old are you? A I am 23.
- Q What is your postoffice address? A Yeager.
- Q Are you a citizen of the Creek Nation? A Yes sir, I belong
to Tuckabatche town.
- Q Who are your parents? A My mother is Annie Yargee, I have
forgotten the name of my father; he died while I was a baby.
- Q Were you ever married to Miller Bruner? A No sir.
- Q Did you ever have a child by him named Mary Harjo? A Yes sir,
but the child is already enrolled under the name of Mary Bruner,
the child was named for the father.
- Q Did you ever make application for the child under the name of
Mary Harjo? A I do not remember of having made application
for the child under that name.
- Q Did you ever have any other child besides Mary? A No sir,
she is the only child I ever had.
- Q We have an affidavit executed October 31, 1901, by yourself and
George Yargee relative to the birth and death of a child named
Mary Harjo. Do you remember executing such affidavit?
Yes sir, but that is a mistake, the child's name should have
been taken down as Mary Bruner instead of Mary Harjo. I have
already secured an allotment for the child and have received
deeds to it.
- Q The dates of the birth and death in the affidavit mentioned are
given as March 15, 1899 and August 5, 1899, is that correct?
I do not know whether that is correct or not, it has been so
long that I have entirely forgotten when my child was born and when
it died; I remember that it was born in the Spring and died in
the Fall. I do not remember the month of its death. My
brother, George Yargee, could give you the exact dates.
- Q Where does he live? A Near Yeager.
- Q Did you make selection of land yourself for this child?
I appeared before the Commission in person and made application
and afterwards my brother George filed for the child. I never
had but the one child and I know it is the same child you have

No. 842.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Yeager, I. T., December 2, 1904.

In the matter of the application for the enrollment of Mary Harjo, deceased, as a citizen by blood of the Creek Nation.
TOM CULLER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:
Q What is your name? A Tom Culler.
Q How old are you? A Sixty-five.
Q What is your post office address? A Yeager.
Q Are you a citizen of the Creek Nation? A Yes, sir. I am a member of the Creek Council for Broken Arrow town.
Q Did you know a daughter of Wiley Harjo and Miller Brunner named Mary Harjo? A Yes, sir.
Q How long has she been dead? A It has been a long time.
Q Did she die before or after the opening of the Creek Land Office? A Died before.
Q Are you positive that she died before the land office opened? A Yes, sir.
Q Did she die before the section lines were opened? A Yes, sir.
Q Did you know another Mary Harjo who was a member of your town? A Yes, sir, a daughter of Polly Harjo and Chepame Goss. She also died before the land office opened.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 20 day of December, 1904.

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 8, 1904.

In the matter of the application for the enrollment of Mary Harjo as a citizen by blood of the Creek Nation.

LAWYER DEERE, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Lawyer Deere.
Q How old are you? A Over fifty.
Q What is your post office address? A Yeager.
Q To what town in the Creek Nation do you belong? A Tuckabatche.
Q Did you know Mary Harjo? A Yes, sir.
Q Is she living? A She is dead.
Q When did she die? A She died about six years ago.
Q Did she die before or after the opening of the Creek Land Office?
A She died before the land office opened.
Q Are you positive that she died before the Creek Land Office opened?
A Yes, sir.
Q What was the name of her mother? A Polie Harjo.
Q What was the name of her father? A Chepaine Coar.
Q How old was Mary Harjo when she died? A The child was under walking at the time of its death.

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

[Signature]

Subscribed and sworn to before me this 15 day of November, 1904.

[Signature]
Notary Public.

CR EN 815

CR EN 815

Gr En 841

Muskogee, Indian Territory, August 9, 1906.

John Davis,

Yasgor, Indian Territory.

Dear Sir:

You are hereby advised that the name of your deceased minor child, Missie Davis, is contained in the partial list of citizens

by blood of the Creek Nation approved by the Secretary of the Interior July 31, 1906, and that application for a selection of land in the Creek Nation for the heirs of said child may now be made at the office of the Commissioner to the Five Civilized

Tribes, in Muskogee, Indian Territory.

An entire allotment of 160 acres must be selected at the

time of the original application.

Respectfully,

Acting Commissioner.

25.20
OT-MH-241

Muskogee, Indian Territory, April 21, 1905.

M. I. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Linnie Davis, deceased, as a citizen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be allowed fifteen days from the date hereof within which to protest against said decision, and if, at the expiration of that time, no such protest has been made, said Linnie Davis, deceased, will be regularly listed for enrollment as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

YM-4-21-05

866

B. A. 24.

Muskogee, Indian Territory, September 19, 1903.

John Davis,

Wewoka, Indian Territory.

Dear Sir:

There are on file with the Commission affidavits executed by you relative to the birth and death of Lizzie Davis, who, it is claimed, was a citizen of the Creek Nation. It is desired that testimony be submitted in the case.

You are therefore requested to appear before the Commission at its office in Muskogee, Indian Territory, with two witnesses who know the dates of the birth and death of said child, for the purpose of being examined under oath.

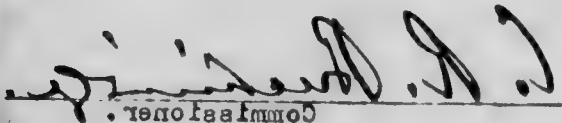
Respectfully,

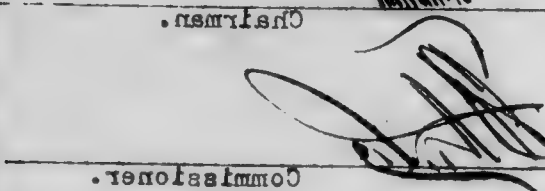
Chairman.

POOR ORIGINAL -
BEST AVAILABLE COPY

Muskogee, Indian Territory,

APR 20 1905


Commissioner.


Commissioner.


Chairman.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

(31 Stats., 861), and it is so ordered.
of Congress June 28, 1898 (30 Stats., 492), and March 1, 1901
of the Creek Nation in accordance with the provisions of the acts
Lizzie Davis, deceased, should be enrolled as a citizen by blood
It is, therefore, the opinion of this Commission that said
was born prior to April 1, 1899, and died subsequent to that date.
The evidence further shows that said Lizzie Davis, deceased,
Roll Numbers 4815 and 4816, respectively.

by blood, approved by the Secretary of the Interior March 28, 1902,
the records of the Commission shows that the names of said John
minor child of John Davis and Polly Davis, and an examination of
The evidence shows that said Lizzie Davis, deceased, was the

November 7, and November 8, 1904.
Further proceedings were had at Weleetka, Indian Territory,
as a citizen by blood of the Creek Nation.

as an application for the enrollment of said Lizzie Davis, deceased,
Territory, which said affidavit is considered by the Commission
Lizzie Davis, was filed with the Commission at Muskogee, Indian
affidavit of John Davis, relative to the death of his minor child,
The record in this case shows that on September 12, 1901, the

--: D E C I S I O N :-

Lizzie Davis, deceased, as a citizen by blood of the Creek Nation.
In the matter of the application for the enrollment of

--:0:--

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR,

En. 841.

I.D.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Application for Enrollment, as a citizen of the
Name of Father: *John Davis* born on the *10* day of *July* 18*99*
Name of Mother: *Mary Davis* a citizen of the *Cherokee* Nation.
Post-office *Memphis*
Nation, *Cherokee*
1899

AFFIDAVIT OF

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, *John Davis*,
years of age and a citizen by *birth*,
that I am the lawful *father* of
of the *Cherokee* Nation; that a *female* child was
born to me on *July 10* day of *1899*
named *Aggie Davis*
WITNESSES TO MARK:
(Must be Two Witnesses.)
I, *John Davis*, on oath state that I am
of the *Cherokee* Nation; who is a citizen, by
Nation: *Cherokee*

Subscribed and sworn to before me this *11* day of *July* 189*9*
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.

I, *Thompson Jones*,
attended Mrs. *John Davis* on the *10* day of *July* 189*9*
said date a *female* child; that said child is now living and is said to have been
named *Aggie Davis*
WITNESSES TO MARK:
(Must be Two Witnesses.)
I, *Thompson Jones*, on oath state that I
wife of *John Davis*
that there was born to her on *July 10* day of *1899*
child; that said child is now living and is said to have been
named *Aggie Davis*
Subscribed and sworn to before me this *10* day of *July* 189*9*
NOTARY PUBLIC.

37

20

IN RE
Application for Enrollment of

INFANT CHILD

as a citizen of

Nation

180

Approved

Commissioner

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

FILED

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the death of
a citizen of the
Nation, who formerly resided at or near
Ind. Ter., and died on the
day of
1899

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.
I, John Davis
years of age and a citizen, by blood
that my post office address is
of
(State relationship, as: the father, an uncle, a cousin, etc.)
who was a citizen, by blood
and that said
(Here insert name of deceased.)
died on the
day of
Nation;
Ind. Ter.; that I am
of the
Nation;
on oath state that I am 33

Subscribed and sworn to before me this
14 day of September 1901
William O. Martin
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District.
I, John Davis
years of age, and a citizen, by blood
that my post office address is
that I was personally acquainted with
who was a citizen, by blood
and that said
(Here insert name of deceased.)
died on the
day of
Nation;
Ind. Ter.;
on oath state that I am 30

Subscribed and sworn to before me this
14 day of September 1901
William O. Martin
Notary Public.

New York # 1210-1044-1044

IN RE
THE DEATH OF

Lizzie Davis
a citizen of the
State of New York

Verdict

Approved

1

Commissioner

See Vol 2 of same case # 1212

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

FILED

Sept 10 1901

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesleyka, I. T., November 8, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Lizzie Davis, deceased, as a citizen by blood of the
Greek Nation.

JOHN DAVIS, being duly sworn, testified as follows:

BY COMMISSION:
Q What is your name? A John Davis.
Q How old are you? A About thirty.
Q What is your post office address? A Yesger.
Q You gave testimony in this case yesterday, did you? A Yes, sir.
Q Have you found the record of the birth and death of Lizzie Davis
that you mentioned in your testimony yesterday? A Yes, sir. (Hands
Commission piece of paper) or memorandum book.
Q Is this that record? A Yes, sir.

The witness presents for the inspection of the Commission
a memorandum book in which appears the record of the birth and
death of Lizzie Davis, written in pencil in the Greek language.
The same being translated by the Official Interpreter is
as follows:

"Lizzie Davis born February 10, 1893 and died July 25."
The page upon which the entry appears is detached and made part
of the record in this case.

Q Who made this record? A I made it.
Q When did you make this record? A I made the record after the
child died. I made a record of the date of the child's birth but I
had lost it at the time this record was made but remembered the date
of its birth.
Q How long after the child's death did you make this record? A
About two months.
Q Did the child die the same year it was born? A Yes, sir, it
died the same year it was born.

-----00000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 16 day of November, 1904.

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 7, 1904.

In the matter of the application for the enrollment of Lizzie Davis, deceased, as a citizen by blood of the Creek Nation.

JOHN DAVIS, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSIONER:
Q What is your name? A John Davis.
Q How old are you? A About thirty.
Q What is your post office address? A Yes, sir.
Q Did you have a child named Lizzie? A Yes, sir.
Q Is she living? A She is dead.
Q When did she die? A The affidavit executed by me and filed with the Commission relative to the birth and death of the child is correct.
Q I do not now remember the date.
Q How long has the child been dead? A I do not know.
Q How old was the child when it died? A The child was not crawling at the time of its death.
Q Did you make any record of the date of the birth and death of the child? A I had a record of the birth and death of the child but I have since lost it.
Q What is the name of the mother of the child? A Polly Davis.
Q Is she living? A She is dead.
Q When did Polly die? A She has now been dead about two years.
Q How long was it after the child died that the mother died? A I do not know but I think it was less than a year.
Q Did you take the date of the birth and death of the child, which are in the affidavit you executed, from the record you spoke of? A Yes, sir.
Q When did you make that record? A I made the record of the birth of the child shortly after the child was born and the record of the death of the child shortly after the child died.

-----0:-----

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 15 day of November, 1904.

Notary Public.

CR EN 811

CR EN 811

OT.Mn.840.

Muskogee, Indian Territory, June 28, 1905.

Emmanuel Boyd,

Lee, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior,
under date of June 9, 1905, affirmed the decision of the Commission
to the Five Civilized Tribes, denying the application for the enroll-
ment of your minor child, Lewis Edward Boyd, as a Creek Freedman.

Respectfully,

Chairman.

Cr.No.840.

Muskogee, Indian Territory, June 28, 1905.

M. J. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

You are hereby advised that the Secretary of the Interior,
under date of June 9, 1905, affirmed the decision of the Commission
to the Five Civilized Tribes, denying the application for the enroll-
ment of Lewis Edward Boyd, as a Creek Freedman.
Respectfully,

Chairman.

Refer in reply to the following:

Land.
30291-1208

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, April 26, 1905.

The Honorable,

The Secretary of the Interior,

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated April 15, 1905, transmitting the record of the application for enrollment as a Creek Freedman of Lewis Edward Boyd, deceased.

March 15, 1905, the Commission decided adversely to the

application.

The record shows that Lewis Edward Boyd was born during August or September of 1900 or 1901, and lived about one month.

In view of the record the approval of the Commission's

decision adverse to the application is recommended.

Very respectfully,

C. F. Lister

Acting Commissioner.

W. M. M.

G.M.

DEPARTMENT OF THE INTERIOR,
Washington.

June 9, 1905.

I.T.D. 4532-1905
I.R.B.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

April 15, 1905, you transmitted the record of the application for the enrollment of Lewis Edward Boyd (deceased) as a Creek freedman, including your decision dated March 15, 1905, denying said application.

April 26, 1905, the Acting Commissioner of Indian Affairs reporting in the matter, recommended that your decision denying said application be affirmed. A copy of this letter is inclosed.

The Department concurs in the recommendation made and your decision dated March 15, 1905, denying the application for the enrollment of Lewis Edward Boyd (deceased) as a Creek freedman is hereby affirmed.

Respectfully,

W.A. Hitchcock

Secretary

1 inclosure.

Hand

Or. Kn. 840.

Muskogee, Indian Territory, April 14, 1905.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Lewis Edward Boyd, deceased, as a Creek Freedman, including the decision of the

Commission, dated March 15, 1905.

Respectfully,

Commissioner in Charge.

Through the Commissioner
of Indian Affairs.

IM-4-14-26.

OT. En. 840.

Muskogee, Indian Territory, April 14, 1905.

M. L. Mott,

Attorney for the Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith inclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of a minor child, Lewis Edward Boyd, deceased, as a Creek Freeman, denying said application. The decision with a copy of the proceedings had in the case is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

IM-4-14-25.

Gr. No. 840.

Muskogee, Indian Territory, April 14, 1906.

Harvey Boyd,

Lee, Indian Territory.

Dear Sir:

There is herewith inclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of your minor child, Lewis Edward Boyd, deceased, as a Creek Freedman, denying said application.

The decision with a copy of the proceedings had in the case is this day transmitted to the Secretary of the Interior within and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Commissioner in Charge.

Register.
IM-4-14-24.

362
En. 840

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Lewis Edward Boyd, deceased, as a Creek Freedman.

D E C I S I O N .

The record in this case shows that on August 31, 1904, the affidavit of Lewis Edward Boyd relative to the birth of Lewis Edward Boyd, deceased, was filed with the Commission at Muskogee, Indian Territory, which said affidavit is considered by the Commission as an application for the enrollment of said Lewis Edward Boyd, deceased, as a Creek Freedman.

Further proceedings in the matter of said application were had October 26, 1904.

It is not clear from the evidence when said Lewis Edward Boyd was born or when he died, but it is shown that he was born during August or September of 1900 or 1901 and lived about a month.

It is, therefore, the opinion of the Commission that there is no authority of law for the enrollment of said Lewis Edward Boyd, deceased, as a Creek Freedman, and that the application for his enrollment as such should be denied, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

CHAIRMAN

COMMISSIONER

COMMISSIONER

MUSKOGEE, INDIAN TERRITORY

MAR 15 1905

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. OCT. 26, 1904.

In the matter of the application for the enrollment of Lewis
Edward Boyd as a Creek Freedman.

On August 31, 1904, an affidavit was filed with the Commission at
Muskogee, I.T., relative to the birth of Lewis Edward Boyd, who, it is
claimed is a Creek Freedman. The affidavit is considered by the Comma-
sion as an application for the enrollment of said Lewis Edward Boyd as
a Creek Freedman.

Edward Boyd being sworn testified as follows:

Examination by the Commission:

Q What is your name? A Emmanuel Boyd.
Q How old are you? A As near as I can come at it between 47 and 48.
Q What is your post office address? A Lee.
Q Are you a citizen of the Creek Nation? A Yes sir.
Q Have you a child named Lewis Edward Boyd? A Yes sir.
Q Is the mother of that child a citizen of the Creek Nation? A Yes sir.
Q What is the name of the mother? A Himmie.
Q Is she a Creek Freedman? A Yes sir.
Q Is that child living or dead? A Dead.
Q How old was that child when it died? A It lived near a month.
Q When was it born? A 1901.
Q What month? A I don't remember whether it was September or August.
Q Well, was it in the summer or fall? A 1901; yes sir it was either
September or August.
Q And you say it lived about a month? A Yes sir.
Q Are you sure the child didn't live over a month? A Yes, I am sure it
didn't live over a month. It was somewhere's a right about.
Q Were you present when the child died? A Yes sir.

Said affidavit is made part of the record in this case.

Henry G. Haine being sworn on his oath states that as stenographer to
the Commission to the Five Civilized Tribes he reported the above case
and that this is a full, true and correct transcript of his stenographic
notes in same.

Subscribed and sworn to before me this 10 day of November, 1904.

Notary Public.

CR EN 840

CR EN 840

W. 839.

Muskogee, Indian Territory, June 8, 1908.

Thomas Tiger,

Bristow, Indian Territory.

Dear Sir:

You are hereby advised that the name of your minor child, Nancy Tiger, deceased, is contained in the partial list of citizens by blood of the Creek Nation, approved by the Secretary of the Interior May 23, 1908, and that application for a selection of land in the Creek Nation may now be made for said Nancy Tiger, deceased, at the office of the Commission in Muskogee, Indian Territory.

Respectfully,

Commissioner in Charge.

OF AM 838

Washoe, Indian Territory, March 21, 1906.

M. D. Kott,

Attorney for the Creek Nation.

Washoe, Indian Territory.

Sir:

There is enclosed herewith a copy of the decision of the
Commission to the Five Civilized Tribes in the matter of the ap-
plication for the enrollment of Henry Tiger (deceased) as a citi-
zen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be al-
lowed fifteen days from date hereof within which to file protest
against said decision, and if at the expiration of that time, no
such protest has been made, said Henry Tiger (deceased) will be
regularly listed for enrollment as a citizen by blood of the Creek

Nation.

Respectfully,

Chairman.

LYN-41-10.

323
En. 823

COMMISSION TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Nancy
Tiger, deceased, as a citizen by blood of the Creek Nation.


DECISION.


The record in this case shows that on September 1, 1904, the af-
fidavits of Thomas Tiger relative to the birth and death of Nancy Tiger,
deceased, were filed with the Commission at Muskogee, Indian Territory,
which said affidavits are considered by the Commission as an application
for the enrollment of said Nancy Tiger, deceased, as a citizen by blood
of the Creek Nation.

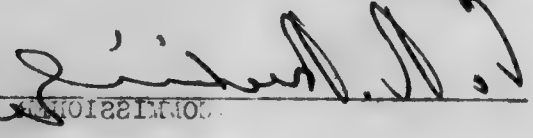
Further proceedings in the matter of said application were had
October 5, 1904.
The evidence shows that said Nancy Tiger, deceased, is the minor
child of Thomas and Mollie Tiger, whose names are contained in the par-
tial list of citizens by blood of the Creek Nation, approved by the
Secretary of the Interior, March 28, 1902, Roll No. 8287 and 8288, re-
spectively; that said Nancy Tiger was born October 18, 1898 and died
September 10, 1899.

It is, therefore, the opinion of the Commission that said Nancy
Tiger, deceased, should be enrolled as a citizen by blood of the Creek
Nation in accordance with the provisions of the acts of Congress, June
28, 1898 (30 Stat., 495) and March 1, 1901 (31 Stat., 861), and it is
so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,



CHAIRMAN


COMMISSIONER


COMMISSIONER

MUSKOGEE, INDIAN TERRITORY

MAR 12 1905

Q Do you know about when it died? A No sir, I don't know exactly when it died, but it has been dead sometime.
Q Did that child die after the Creek land office opened or before?
A It died after.
Q Did you ever see that child after the land office opened? A No sir, I never saw it but they said it.
Q Who told you first about the child being dead? A Well, to tell you and be positive I can't say who it was.
Q Did Thomas Tiger ever talk to you about the child being dead? A Yes sir.
Q Did he state how long the child had been dead when he talked to you about it? A Well, he was talking to me about it last year and he said my child is dead and died after the land office opened, and wanted to know of me could he file for it.
Q Have you ever talked with anyone else about it? A I talked to his father about it; I asked him when it died and he said it died after the land office opened.
Q Are you prepared to state as a matter of information that you have received that the child died after the land office opened? A That's my information; I don't know it myself.
Q Were you any information otherwise that it died prior to that time?
A No sir.
Q You never heard from anyone else that the child died after the land office opened? A No sir.

Thomas Tiger recalled:
(Through interpreter):

Q Did you make any record of the birth of that child, Nancy? A Yes sir.
Q Have you the record with you? A Yes sir.
Q Did you make a record also of the date of her death? A Yes sir.
Q When did make that record? A Shortly after the death; I have it in a large book at home and I have the record also in this book here.

The applicant presents for the inspection of the Commission a memorandum book in which is found some entries written in Creek relative to Nancy Tiger; this book is handed to the official interpreter for the purpose of being translated, as follows:
"Nancy Tiger born Oct. 18, 1836; died September 10, 1892." The second entry is "died September 10, 1892."

Q Did you transcribe this from the original record that you made in the large book that you speak of? A Yes sir.
Q Is this a correct copy of the record that you have at home? A Yes sir.

Affidavits relative to the birth and death of Nancy Tiger are made part of the record herein.

Henry C. Wainwright being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above cases and that this is a full, true and correct transcript of his stenographic notes in same.

Subscribed and sworn to before me this 10 day of November, 1904.

Henry C. Wainwright
Notary Public

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. OCT. 5, 1904.

In the matter of the application for the enrollment of Nancy Tiger, deceased, as a citizen by blood of the Creek Nation.

(September 1, 1904, there were filed with the Commission affidavits relative to the birth and death of Nancy Tiger, which are considered by the Commission as applications for enrollment as of that date.)
Thomas Tiger being sworn, testified as follows through Alex Posey, official interpreter:

Examination by the Commission:

Q What is your name? A Thomas Tiger.
Q How old are you? A About 28.
Q What is your post office address? A Bristol.
Q Do you make application for the enrollment of Nancy Tiger? A Yes sir.
Q As a citizen by blood? A Yes sir.
Q Is she living or dead? A Dead.
Q Was she a full blood? A Yes sir.
Q Are you the father of that child? A Yes sir.
Q What is the name of her mother? A Mollie.

The records of the Commission show that Thomas Tiger is listed for enrollment on Creek Indian card Field No. 3045 and that his name is contained in the partial list of Greeks by blood approved by the Secretary of the Interior March 28, 1902, No. 8237.
The records further show that Mollie Tiger is listed for enrollment on Creek Indian card Field No. 3232 and that her name is contained in the partial list of Greeks by blood approved March 28, 1902, No. 8233.

Q When did Nancy Tiger die? A The 10th day of September, 1899.
Q How old was she when she died? A Going on 3 years old.
Q When was she born? A The 18th of October, 1896.
Q Do you remember of hearing of the opening of the Creek Land Office about the time it was opened? A No sir, I don't.
Q That town do you belong to? A Tuskegee.
Q What town does Mollie belong to? A Eugene.
Q Were the people living on land when this child died? A Yes sir.

G. W. Wadsworth being sworn testified as follows,

By the Commission:
Q Give your name, age and post office address? A G. W. Wadsworth; Bristol, 24.
Q Are you a citizen of the Creek Nation? A Yes sir.
Q Do you know Thomas Tiger? A Yes sir.
Q Do you know Mollie Tiger? A Yes sir.
Q Did you know a child of theirs named Nancy? A Well, I know of the child but I can't swear that's the same child by that name, but I know they had a girl child.
Q Did you ever see the child? A Yes sir.
Q In this child you refer to living or dead? A Dead.

Q Do you know about when it died? A No sir, I don't know exactly when it died, but it has been dead sometime.
Q Did that child die after the Greek land office opened or before?
A It died after.
Q Did you ever see that child after the land office opened? A No sir, I never saw it but they said it.
Q Who told you first about the child being dead? A Well, to tell you and be positive I can't say who it was.
Q Did Thomas Tiger ever talk to you about the child being dead? A Yes sir.
Q Did he state how long the child had been dead when he talked to you about it? A Well, he was talking to me about it last year and he said my child is dead and died after the land office opened, and wanted to know of me could he file for it.
Q Have you ever talked with anyone else about it? A I talked to his father about it; I asked him when it died and he said it died after the land office opened.
Q Are you prepared to state as a matter of information that you have received that the child died after the land office opened? A That's my information; I don't know it myself.
Q Were you any information otherwise that it died prior to that time?
A No sir.
Q You never heard from anyone else that the child died after the land office opened? A No sir.

Thomas Tiger recalled:
(Through interpreter):

Q Did you make any record of the birth of that child, Nancy? A Yes sir.
Q Have you the record with you? A Yes sir.
Q Did you make a record also of the date of her death? A Yes sir.
Q When did make that record? A Shortly after the death; I have it in a large book at home and I have the record also in this book here.

The applicant presents for the inspection of the Commission a memorandum book in which is found some entries written in Greek relative to Nancy Tiger; this book is handed to the official interpreter for the purpose of being translated, as follows:
"Nancy Tiger born Oct. 18, 1896; died September 10, 1899." The second entry is "died September 10, 1899."

Q Did you transcribe this from the original record that you made in the large book that you speak of? A Yes sir.
Q Is this a correct copy of the record that you have at home? A Yes sir.

Affidavits relative to the birth and death of Nancy Tiger are made part of the record herein.

Henry G. Wain being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case and that this is a full, true and correct transcript of his stenographic notes in same.

Subscribed and sworn to before me this 12th day of November, 1904.

James H. Wain
Notary Public

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
TUSKOGEE, I. T. OCT. 5, 1904.

In the matter of the application for the enrollment of Nancy Tiger, deceased, as a citizen by blood of the Creek Nation.

(September 1, 1904, there were filed with the Commission affidavits relative to the birth and death of Nancy Tiger, which are considered by the Commission as applications for enrollment as of that date.)

Thomas Tiger being sworn, testified as follows through Alex Posey, official interpreter:

Examination by the Commission:

Q What is your name? A Thomas Tiger.
Q How old are you? A About 28.
Q What is your post office address? A Bristow.
Q Do you make application for the enrollment of Nancy Tiger? A Yes sir.
Q As a citizen by blood? A Yes sir.
Q Is she living or dead? A Dead.
Q Was she a full blood? A Yes sir.
Q Are you the father of that child? A Yes sir.
Q What is the name of her mother? A Mollie.

The records of the Commission show that Thomas Tiger is listed for enrollment on Creek Indian card field No. 3045 and that his name is contained in the partial list of Creeks by blood approved by the Secretary of the Interior March 28, 1902, No. 8297.
The records further show that Mollie Tiger is listed for enrollment on Creek Indian card field No. 3292 and that her name is contained in the partial list of Creeks by blood approved March 28, 1902, No. 8292.

Q When did Nancy Tiger die? A The 10th day of September, 1899.
Q How old was she when she died? A Going on 3 years old.
Q When was she born? A The 18th of October, 1896.
Q Do you remember of hearing of the opening of the Creek Land Office about the time it was opened? A No sir, I don't.
Q What town do you belong to? A Tuskegee.
Q What town does Mollie belong to? A Kuchee.
Q Were the people living on land when this child died? A Yes sir.

G. W. Wadsworth being sworn testified as follows:

By the Commission:

Q Give your name, age and post office address? A G. W. Wadsworth, Bristow, Ok.
Q Are you a citizen of the Creek Nation? A Yes sir.
Q Do you know Thomas Tiger? A Yes sir.
Q Do you know Mollie Tiger? A Yes sir.
Q Did you know a child of theirs named Nancy? A Well, I know of the child but I can't swear that's the same child by that name, but I knew they had a girl child.
Q Did you ever see the child? A Yes sir.
Q Is this child you refer to living or dead? A Dead.

CR EH 83d

CR EH 83d

Post Office: *Amador, Oregon*
Residence: _____

Nation: _____

Roll: _____

Field No. *3582*
Card No. _____

| Dawes' Roll No. | NAME | Relation to Person first Named | AGE | SEX | BLOOD | TRIBAL ENROLLMENT | | | TRIBAL ENROLLMENT OF PARENTS | | |
|-----------------|---------------------|--------------------------------|-----------|----------|-------------|-------------------|----------|----------------|------------------------------|----------|---------------------|
| | | | | | | Year | District | No. | Year | District | Name of Mother |
| | <i>Harp, Jennie</i> | | <i>16</i> | <i>F</i> | <i>Full</i> | | | <i>Hickory</i> | | | <i>Wood Hickory</i> |
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No on 1882 Roll No 64

See 838

Person

Wood 83.1001

Copy

Residence _____

Post Office *Amos, N.J.*

NATION *Green*

ROLL *Copy*

Field No. *2237*
Card No. _____

| Dawes' Roll No. | NAME | Relation to Person First Named | AGE | SEX | BLOOD | TRIBAL ENROLLMENT | | | TRIBAL ENROLLMENT OF PARENTS | | |
|-----------------|----------------------|--------------------------------|-----------|----------|--------------|-------------------|--------------|----------|------------------------------|--------------|----------------|
| | | | | | | Year | County | Page | Year | County | Name of Mother |
| | <i>Karig, Jennie</i> | | <i>16</i> | <i>F</i> | <i>Green</i> | | <i>Green</i> | <i>1</i> | | <i>Green</i> | <i>Green</i> |
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Wm. Green
Green

Don't find on 1890 Roll
Green working about 1890

May 23, 1901

Field No. 3232
Card No.

Creek Nation.
Roll.

Post Office:
Residence:
12

| Dawes' Roll No. | NAME | Relation-ship to Person Named | AGE | SEX | BLOOD | TRIBAL ENROLLMENT | | | TRIBAL ENROLLMENT OF PARENTS | | |
|-----------------|--------------|-------------------------------|-----|-----|-------|-------------------|----------|-----|------------------------------|----------|----------------|
| | | | | | | Year | District | No. | Year | District | Name of Mother |
| | Harjo, Annie | | 16 | F | | 1895 | Michoud | 14 | 1895 | H. N. | |
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Harjo, Annie

Residence above the village of Michoud

May 23, 1901

A.P. 2.

The testimony of any other witnesses who may be
informed in this matter should also be secured.
Respectfully,

Acting Commissioner.

HEA-28

C. I. 3232.

Manakoe, Indian Territory. April 2, 1906.

Alex Posey,

Greek Enrollment Field Party,

Wetumka, Indian Territory.

Dear Sir:

Enclosed find copy of record in the matter of the application for the enrollment of Jennie Harjo as a citizen by blood of the Creek Nation, also copy of Creek Indian card,

field number 3232.

From the evidence herein this office is unable to identify the said applicant upon any of its records, either under the name of Jennie Harjo, Jennie Gambler or Jennie Kayum-
bler.

The Jennie Harjo whose name appears upon Creek Indian card field number 3232, may be one and the same as Jennie Gambler referred to in testimony of Jannetta Jacobs, taken October 10, 1903.

You are requested to secure the testimony of said Jennie Gambler as to the names of her parents, whether an alienant selection has been made for her and, if so, under what name such selection was made.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Okemah, Indian Territory, October 20, 1905.

Commissioner to the Five Civilized Tribes,

Waskokoe, Indian Territory.

Sir:

There is enclosed herewith testimony taken October 10, 1905,
in the matter of the application for the enrollment of Jennie Harjo
as a citizen by blood of the Creek Nation, together with copies of
the testimony heretofore taken in said case.

Respectfully,

W. J. Harjo
Clerk in Charge Creek Field Party.

INDEXED

| | |
|----------------------------|------|
| COMMISSIONER TO THE TRIBES | |
| RECEIVED | 1895 |
| OCT 21 1905 | |

Oct. 20, 1905.
 Creek Nation,
 Okemah, I.T.
 Posey, Alex.

Creek nation.
 Hajo as a citizen of the
 for enrollment of, tennis
 testimony in re application
 transmits copies of

CREEK ENROLLMENTS

838

Hotwater, Indian Territory, June 22, 1902.

Commission to the President of the United States,

Muskogee, Indian Territory.

Gentlemen:

There is enclosed herewith testimony in the matter of the application for enrollment of Alex Boett, deceased (No. 273), Salinas Apache, deceased (No. 746), and Jennie Harris, deceased (No. 273), as citizens by blood of the Creek Nation, together with copies of testimony heretofore taken in said cases. I find it impossible to secure further evidence.

Respectfully,

Signed

Chief in Charge Creek Field Party.

BEST AVAILABLE COPY
- POOR ORIGINAL -

Waskoee, Indian Territory,

JUN 6 - 1906

Commissioner.

It is therefore ordered that the application for the enrollment of Jennie Harjo, as a citizen by blood of the Creek Nation, be dismissed from the files of this office and no further record made of the same.

It is further ordered that the application for the enrollment of Jennie Harjo, as a citizen by blood of the Creek Nation, be dismissed from the files of this office and no further record made of the same.

It further appears from the records of this office that the name of Jennie Harjo was, on May 23, 1901, listed by the Commission to the Five Civilized Tribes as that of an applicant for enrollment in the Creek Nation, said name appearing on Creek Indian card field No. 3232. Further proceedings were had October 14 and November 2, 1904, June 22 and October 10, 1905, and April 7, 1906. The evidence in this case is contradictory as to the identity of said Jennie Harjo but the weight of evidence shows that said applicant is one and the same as Lizzie Gambler, whose name appears upon Creek Indian card field No. 94, on file among the records of this office, on said card as Billie and Rhoda Gambler, both deceased.

It further appears from the records of this office that the name of Lizzie Gambler is contained in the partial list of citizens by blood of the Creek Nation approved by the Secretary of the Interior March 13, 1902, opposite No. 3232.

STATEMENT AND ORDER.

In the matter of the application for the enrollment of Jennie Harjo as a citizen by blood of the Creek Nation.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

Cr. En. 838.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

C.I. 3232.

Wetumka, Indian Territory, April 19, 1906.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

There is enclosed herewith the testimony of Jennie Harjo,
taken April 7, 1906, in the matter of the application for the en-
rollment of Jennie Harjo as a citizen by blood of the Creek Nation,
together with other papers in relation to said cause.
Further evidence will be secured in this case if the same
is desired.

Respectfully,

In Charge Creek Field Party.

INDEXED

| | |
|---------------------------|-------------|
| COMMISSIONER TO THE LANDS | |
| No. | Received |
| 13887 | APR 20 1906 |

Alex. Porey,
 Clerk of the Court,
 T. L. Wetmore,
 Apr. 19, 1906.

Transmitta testimony in re
 application of James Harjo for
 enrollment as Creek citizen.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Senora, I. T., April 7, 1906.

C.I. 3232.

In the matter of the application for the enrollment of Jennie Harjo, as a citizen by blood of the Creek Nation.
JENNIE HARJO, being duly sworn, testified as follows:

Through Alex Posey official interpreter:

BY THE COMMISSIONER:

Q What is your name? A I am known both as Jennie Harjo and Jennie Gambler but I am told that I was enrolled as Lizzie Gambler. I was enrolled as a member of Hickory Ground town by John Frances, when he was Town King, as Lizzie Gambler.
Q When did he enroll you under that name? A When the \$25.00 payment was made. I was enrolled when the \$14.00 payment was made by my step-father, Lewis Harjo, as Jennie Harjo.
Q How old are you? A I don't know, but my relatives say that I am about eighteen.
Q Who were your parents? A My father was Billy Gambler of Tompache Town and my mother was Lady (or Rhoda) Gambler. After my father died she married Lewis Harjo and was afterwards known as Lady (or Rhoda) Harjo.
Q What town did your mother belong to? A Hickory Ground.
Q You father is dead is he? A Yes, sir, he died before the \$14.00 payment was made.
Q When did your mother die? A About eight years ago.
Q Do you know whether or not you have been enrolled and given an allotment of land? A I am told that my grandfather, Oktachee Alexander, filed for me.
Q Do you know where your allotment is? A Some where near Morris.
Q Have you ever received certificates or deeds to your land? A No, sir, I think Oktachee Alexander has them and has leased my land to one William Moore.
Q Where does Oktachee live? A Near Okmulgee.
Q To what town does he belong? A Cusseta.
Q Do you know under what name you were allotted? A As Lizzie Alexander so I am told.
Q Have you any brothers and sisters living? A I have a half brother living named Chepamey Harjo and have a brother and sister dead. Their names were Millie and Tom Gambler.
Q Who is the father of Chepamey Harjo? A Lewis Harjo.

-----00000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 17th day of April, 1906.

Notary Public.

A.P. S.

The testimony of any other witnesses who may be
informed in this matter should also be secured.
Respectfully,

Acting Commissioner.

HEA-23

C. I. 3232.

Manitowish, Indian Territory. April 2, 1908.

Alex. Posey,

Greek Enrollment Field Party,

Wetumka, Indian Territory.

Dear Sir:

Enclosed find copy of record in the matter of the application for the enrollment of Jennie Harjo as a citizen by blood of the Creek Nation, also copy of Creek Indian card,

field number 3232.

From the evidence herein this office is unable to identify the said applicant upon any of its records, either under the name of Jennie Harjo, Jennie Gambler or Jennie Keyman-
pier.

The Jennie Harjo whose name appears upon Creek Indian card field number 3232, may be one and the same as Jennie Gambler referred to in testimony of Jannetta Jacobs, taken October 10, 1908.

You are requested to secure the testimony of said Jennie Gambler as to the names of her parents, whether an allotment selection has been made for her and, if so, under what name such selection was made.

En. 838.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Senora, I. T., October 10, 1902.

In the matter of the application for the enrollment of Jennie Harjo as a citizen by blood of the Creek Nation.

LEWIS HARJO, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

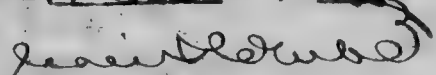
BY THE COMMISSIONER:

Q What is your name? A Lewis Harjo.
Q How old are you? A About thirty.
Q What is your post office address? A Senora.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Hickory Ground.
Q Did you know Jennie Harjo? A Yes, sir.
Q Is she a relative of yours? A She is my step-daughter. Her mother is dead. Her proper name is Jennie Kewmpler.
Q What was the name of her mother? A Rhoda Harjo.
Q What was the name of her father? A Billy Kewmpler.
Q To what town did he belong? A Tuckabatchee. He may be enrolled as Billy Gambler.
Q Did you draw money for Jennie when the 1895 Payment was made? A Yes, sir. She is now about eighteen years old.
Q Is she living? A Yes, sir.
Q Do you know whether or not she has been allotted land in the Creek Nation? A I do not know whether she has been allotted land, but I always thought that she had. She may be enrolled under another name. I don't know. I gave information about her when I appeared before the Commission at Okmulgee to enroll members of my family, but did not have her enrolled as she had an aunt living who could look after her business.
Q Who is her aunt? A Jennette Jacobs. She was opposed to allotment and may have neglected the matter.

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I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said case on said date.

Subscribed and sworn to before me this 10th day of October, 1902.


Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Senora, I. T., October 10, 1905.

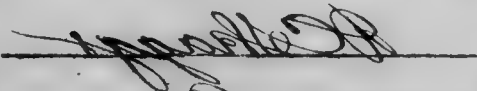
No. 838.

In the matter of the application for the enrollment of Jennie Harjo as a citizen by blood of the Creek Nation.
JENNETTA JACOBS, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

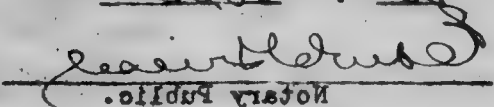
BY THE COMMISSIONER:
Q What is your name? A Jennetta Jacobs.
Q How old are you? A About twenty-nine.
Q What is your post office address? A Senora.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Hickory Ground.
Q Do you know Jennie Harjo? A Yes, sir. She is present. Her proper name is Jennie Gambler.
Q What is the name of her mother? A Rhoda Harjo.
Q What was the name of her father? A Billy Gambler.
Q What relation is she to Lewis Harjo? A Stepdaughter.
Q Do you know whether or not Jennie has been enrolled and given an allotment of land? A Yes, sir. She has her allotment near Morris.
Q Her land was selected for her by Olayache Alexander. He claims to be her grandfather. He is a member of Cassata Town. I think Jennie is enrolled as Jennie Gambler.
Q What relation is she to you? A I am her aunt.
Q Who is your mother? A Semihoye.

-----00000000-----

I, D. C. Skyles, do hereby state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.



Subscribed and sworn to before me this 30 day of Dec. 1905.


Notary Public.

En. 838.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Senora, I. T., June 22, 1905.

In the matter of the application for the enrollment of Jennie Harjo, deceased, as a citizen by blood of the Creek Nation.

SIMAHONYE, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Simahonye.
Q How old are you? A I do not know my age but I remember instances distinctly which happened before the Civil War.
Q What is your post office address? A Senora.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Hickory Ground.
Q What was the name of your husband? A Apahle Harjo. He is dead.
Q Did you ever have a child named Jennie Harjo? A No, sir, but I have a daughter living named Jennette. She is the wife of Shawnee Jacobs. The town officers may have made a mistake and enrolled her as Jennie Harjo.
Q Under what name is she enrolled? A Probably as Jennette Jacobs. She was the wife of Shawnee Jacobs at the time the 1895 Payment was made.

-----00000000-----

I, D. C. Skyles, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 17th day of July 1905.

[Signature]
Notary Public.

WALTER MONAG, being recalled, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir, I remember the circumstance of the opening of the Creek Land Office but I do not know how long it has been open. Q How long before the opening of the Creek Land Office did Jennie Harjo die? A Not quite a year. Q Did she die before the section lines were established? A Yes, sir. The opening of the section lines in my neighborhood were begun in the fall of the year and I remember quite distinctly that she was dead at that time.

---00000000---

I, D. C. Skaggs, on oath state that the above and foregoing is a true and complete transcript of my stenographic notes as taken in said cause on said date.

D. C. Skaggs

Subscribed and sworn to before me this 14 day of November, 1904.

Notary Public.

Charles Alexander

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklmulgee, I. T., November 2, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Jennie Harjo, deceased, as a citizen by blood of the
Creek Nation.

PETER McNAC, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Peter McNac.
Q How old are you? A Probably over thirty.
Q What is your post office address? A Henryetta.
Q Are you a member of the Creek Council for Hickory Ground Town? A
Yes, sir.
Q Did you ever know a member of your town named Jennie Harjo? A
Yes, sir.
Q Is she living? A No, sir, she is dead.
Q How long has she been dead? A I think she has been dead about
four years.
Q Did she die before the opening of the Creek Land Office? A I
think she died sometime before the opening of the Creek Land Office--
at the time the people were getting ready to file on their allotments.
Q How old was she at the time she died? A I think she was about
sixteen.
Q Are you positive that she died before the opening of the Creek
Land Office? A Yes, sir.
Q Do you know her parents? A Yes, sir.
Q What are their names? A Her father's name was Aphonie and her
mother's name was Semihogee, who is now living.
Q Has Semihogee selected her allotment? A I think that she was
arbitrarily filed by the Commission.
Q Was Aphonie ever known as Harjo? A I do not know.

WILLIAM SULLIVAN, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A William Sullivan.
Q How old are you? A About forty-eight or fifty years old.
Q What is your post office address? A Henryetta.
Q Are you a member of Hickory Ground Town? A Yes, sir.
Q Do you represent that town in the Creek Council? A Yes, sir.
Q Did you ever know a member of your town by the name of Jennie
Harjo? A No, sir. I was not well acquainted with all the members
of the Hickory Ground Town at that time. I didn't live there at that
time.
Q You do not know Jennie Harjo then? A Well, no, sir, I don't know
her for certain.
Q Did you know her parents? A I know Aphonie.
Q Was he sometimes known as Aphonie Harjo? A I heard people outside
of Hickory Ground Town call him that.
Q Have you ever heard of a member of your town by the name of Jennie
Harjo? A Yes, sir, I have heard that name called by I do not know
her personally.
Q Do you know whether Aphonie ever had a daughter by the name of
Jennie? A No, sir. I know her had some children and I have heard
one of the children around there called Jennie. I don't know whether
it was his child or not but I heard them call Jennie around the camp
there.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Omnigee, I. T., October 14, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Jennie Harjo as a citizen by blood of the Creek Nation.

MITCHELL YARBER, being duly sworn, testified as follows:

Q By Commission:
Q What is your name? A Mitchell Yarber.
Q How old are you? A About fifty-one or fifty-two.
Q What is your post office address? A Gurway.
Q Are you a member of Hickory Ground Town? A Yes, sir, used to be
a member of the Council for Hickory Ground Town.
Q Did you ever know a member of your town by the name of Jennie
Harjo? A I think she is dead.
Q Do you know how long she has been dead? A She died two or three
years ago.
Q Did she die before the Creek Land Office opened? A I think she
died about that time.
Q What is your best recollection as to whether she died before or
after the Creek Land Office was opened? A I just couldn't say just
what time it was. It was after the land office opened I think that
she died.
Q Who would know about that? A Peter McNas would know.

-----0:-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a true and complete transcript of my stenographic notes as taken in
said cause on said date.



Subscribed and sworn to before me this 14 day of May, 1904.


Notary Public.

CR EN 838

CR EN 838

OT. No. 827.

Muskogee, Indian Territory, March 16, 1907.

March Thompson,

Burney, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior, under date of March 4, 1907, affirmed the decision of the Commissioner to the Five Civilized Tribes, dated February 21, 1907, denying the application for the enrollment of your minor child, Leah Thompson, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Commissioner.

JBM

February 23, 1907
February 23, 1907
February 23, 1907
February 20, 1907
February 23, 1907
February 19, 1907
February 2, 1907
February 20, 1907
February 23, 1907
February 23, 1907
February 23, 1907
February 23, 1907
February 23, 1907
February 23, 1907
February 23, 1907
February 23, 1907
February 14, 1907

Lucy Grayson deceased,
William Haysie,
Leop. Thompson, deceased,
Hollis Graham (freedman)
Kilchoe (or Hollis Hob)
William Bennett (freedman)
George W. Bird, deceased,
Joseph M. Wheeler, deceased,
Charles Gales Dymond, m
William and Lina Parker,
Richard Hawkins, (freedman)
Vyle Steele, deceased,
Tennie Richards deceased, (freedman)
William Mannel, alias Wm. McCallister, (freedman)

A copy heretofore and all papers in the above mentioned cases
have been sent to the Indian Office.

Respectfully,

E. A. Hitchcock,

Secretary.

25 inc. and 70 for
Ind. Of. with
copy heretof.

2827
 7001-2827, 2827, 0810, 0402, D.T.I
 , 2827, 2827, 2827, 2827, 0127, 2827
 , 2127, 2027, 2027, 2027, 2827, 2827
 , 0827, 2827, 2827, 2827, 2827, 0827
 , 2827, 2827, 2027, 2827, 2827, 2827
 , 7001-2827, 0827, 2127, 2027, 2027, 0727

FORNICATION

Command sent to the five divided tribes,

„vielleicht nicht, sondern“

1528

decisions be affirmed are enclosed.

Office letters submitting your reports and recommending that the adverse to the applicants are hereby affirmed. Copies of Indian Your decisions in the following Greek citizenship cases

Letter is returned
Date is set

Title of Case.

February 2, 1901
February 10, 1901
February 16, 1901
February 18, 1901
February 20, 1901
February 20, 1901
February 20, 1901
February 21, 1901
February 20, 1901
February 19, 1901
February 19, 1901
February 18, 1901
February 19, 1901
February 2, 1901
February 2, 1901
February 18, 1901
February 16, 1901
February 16, 1901

Katie Smith deceased (Freeborn)
 Martha Anderson (Freeborn)
 Ella Johnson (Freeborn)
 Mildred Smith, (Freeborn)
 Charles Kottell
 James Peters, et al.,
 Dora Lee and Lawrence G. Gault, (Freeborn)
 John Lewis (Freeborn)
 Rose Blanton (Freeborn)
 Frank Jackson, deceased (Freeborn)
 Lily Valentin, et al., (Freeborn)
 James F. Pennington, deceased,
 Gustav and Isabelle Rontie, (Freeborn)
 James Jamesy, (deceased)
 Mary Fortman, deceased,
 Kattie, (deceased)
 Daniel Niles,
 William Fortman,
 Martha Rontie Davidson,
 Annie et al., (Freeborn)

COPY
DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS
WASHINGTON March 1, 1907
Refer in reply to the following
Land
20398-1907

The Honorable,

The Secretary of the Interior.

Sir:

There is forwarded herewith report of Commissioner Bixby,
dated February 23, 1907, relative to the application for the
enrollment of Leah Thompson, deceased, as a citizen by blood
of the Creek Nation, together with the decision of the Com-
missioner, of February 21, 1907, denying the application.

The Office has examined the record in this case and finds
the conclusions of the Commissioner to be correct.
His decision denying the application is recommended for

approval.

Very respectfully,
C. F. Larrabee
Acting Commissioner

ALW LM

OT. No. 837.

Naukegoe, Indian Territory, February 22, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings

had in the matter of the application for the enrollment of

Leah Thompson, deceased, as a citizen by blood of the Creek Nation,

including the decision of the Commissioner to the Five Civilized

Tribes, denying said application.

Respectfully,

Commissioner.

IM-486.

Through the Commissioner
of Indian Affairs.

Cr. No. 837.

Muskogee, Indian Territory, February 25, 1907.

M. L. Holt,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Leah Thompson, deceased, as a citizen by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

IM-235.

Gr. No. 827.

Muskogee, Indian Territory, February 22, 1907.

Marion Thompson,

Burney, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of your minor child, Leah Thompson, deceased, as a citizen by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

Register.
IM-827.

237

C. 3517.

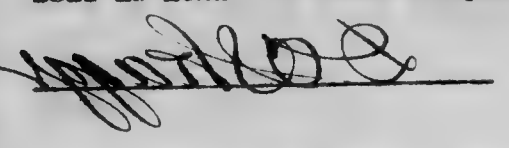
DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE NINE CIVILIZED TRIBES.
Oklahoma, I. T., November 2, 1904.

In the matter of the application for the enrollment of Leah
Thompson as a citizen by blood of the Greek Nation.
WOCUS WIXICO, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

BY COMMISSIONER:
Q What is your name? A Neoma Wixico.
Q How old are you? A Sixty-three.
Q What is your post office address? A Okemah.
Q To what town in the Greek Nation do you belong? A Tawakshico.
Q Did you know Leah Thompson? A Yes, sir.
Q What was the name of her mother? A Hunkohe.
Q What was the name of her father? A Marsh Thompson.
Q Is Leah Thompson living? A She is dead.
Q How long has she been dead? A About four years.
Q Was that before or after the Greek Land Office opened? A After
the opening of the Greek Land Office.
Q Had you filed on your land at the time of her death? A No, sir,
but other people in my neighborhood were filing on their land at the
time she died.
Q How long after the opening of the Greek Land Office did she die?
A She died during the summer following the opening of the land
office.
Q What month was it? A I do not know what month she died but I
remember it was during the summer and that the weather was hot.
Q Are you positive that people were filing on their land at the time
she died? A Yes, sir, I am very positive.

-----00000000-----

I, D. C. Shager, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.



Subscribed and sworn to before me this 14 day of November, 1904.
Charles B. Jensen
Notary Public.

DOO
CM

Gr. I. 3817
Gr. No. 837.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
Lash Thompson, deceased, as a citizen by blood of the Creek
Nation.

D E C I S I O N .

The records of this office show that on April 27, 1901,
Lash Thompson was listed for enrollment on Creek Indian card,
field No. 3817, her name appearing upon the 1890 authenticated
tribal roll and the 1895 pay roll of the Creek Nation, Twelfth-
10000 Town, which listing was done in order to preserve whatever
rights she might have to enrollment as a citizen of the Creek
Nation. Said listing is considered in the nature of an original
application for the enrollment of said Lash Thompson as a citi-
zen by blood of the Creek Nation. Testimony was offered November
2, 1904 and November 28, 1904.

The weight of the evidence in this case shows that
said Lash Thompson died prior to April 1, 1899.
It is, therefore, ordered and adjudged that there is
no authority for the enrollment of said Lash Thompson, deceased,
as a citizen by blood of the Creek Nation, and the application
for her enrollment as such is accordingly denied.

COMMISSIONER.

Muskogee, Indian Territory.

CR EN 837

CR EN 837

Dr. H. 828.

Washoe, Indian Territory, March 14, 1907.

Onocotaw Given,

Washoe, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior, under date of March 4, 1907, affirmed the decision of the Commissioner to the Five Civilized Tribes, dated February 28, 1907, denying the application for the enrollment of Margaret, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Commissioner.

JBM

1 P.
RJR

DEPARTMENT OF THE INTERIOR
WASHINGTON

March 4, 1907.

I.T.D. 7878-1907.

LRS

DIRECT.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Your decision in the following citizenship cases, adverse
to the applicants, are hereby affirmed. A copy of Indian Office
letter, admitting your reports, and recommending that your
decisions be affirmed, is inclosed.

Date of your
letter of transmittal

Title of Case.

February 28, 1907.

Margaret (deceased), Creek by blood,
Miffette Cook, Creek Freedman,
Charles Williams, Creek by blood,
Geras Foster, Creek by blood,
Lake, Creek by blood,
Mary Jones, Creek Freedman,

A copy heretofore and all the papers in the above mentioned
cases have been sent to the Indian Office.

Respectfully,

(Signed) E. A. Hitchcock,

Secretary.

I inc. and is inc.
for Ind. Off.

McM 3-4-07.

on a partial roll of Cherokee Indians by blood opposite No. 21208 on that roll. It further appears that on January 8, 1907, he elected to be enrolled as a citizen by blood of the Cherokee Nation, and he is denied enrollment in the Creek Nation for that reason.

The Office has examined the records and decision in each of these cases and is of the opinion that they are correct. It is therefore recommended that Commissioner Bixby's decision in each case be affirmed.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

WHL-1)

of the evidence is to the effect that she did not live more than six weeks, so she must have been born about March 9, 1908. The application is denied for the reason that there is no authority of law for the enrollment.

21818-1907, in the matter of the application for the enrollment of Caesar Foster as a citizen by blood of the Greek Nation. It is denied for the reason that proof of the marriage of his parents was not sufficient.

21818-1907, in the matter of the application of Charles Williams for enrollment as a citizen by blood of the Greek Nation. The applicant is 40 years of age, and claims right to enrollment through China Perryman, who died 25 or 30 years ago, and who is claimed was a Greek Indian. The records in the office of the Commissioner fail to show the name of Charles Williams on the 1890 authenticated tribal roll or the 1898 pay roll of the Greek Nation, nor is it shown that he has ever been admitted to citizenship by any of the Greek tribal authorities, the Commission to the Five Civilized Tribes, or the United States Court in the Indian Territory, and his application is denied for this reason.

21817-1907, in the matter of the application of Jake for enrollment as a citizen by blood of the Greek Nation. The evidence shows that the applicant has been enrolled in the Greek Nation under the name of Jake Jones, and his name appears

COPY

Refer in reply to the following:
Land-References in
body of letter.
DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

March 2, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith six reports from the Commissioner to the Five Civilized Tribes, all dated February 28, 1907, enclosing the records in the following

citizenship cases in the Indian Territory:

21812-1907, in the matter of the application for the enrollment of Mary Jones as a Creek freedman. The application

is denied for the reason that the evidence of the mother and attending physician is so unsatisfactory as not to establish

conclusively either the date of birth or death of the applicant. 21813-1907, in the matter of the application for the

enrollment of Margaret, deceased, as a citizen by blood of the Creek Nation. It is denied for the reason that the preponderance

of the evidence shows that she died prior to April 1, 1899 in the small-pox epidemic prevailing in the Creek Nation at that time.

21814-1907, in the matter of the application for the

enrollment of Millette Cook as a Creek freedman. It is shown that the applicant died April 16, 1906, and the preponderance

OT. No. 222.

Muskogee, Indian Territory, February 28, 1907.

M. L. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Margaret, deceased, as a citizen by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

IM-66.

U.S. ARMY.

Muskogee, Indian Territory, February 28, 1907.

Chester Givens,

Willetto, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Margaret, deceased, as a citizen by blood of the Creek Nation, denying said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

Register.
M-22.

OT. No. 826.

Manhokce, Indian Territory, February 28, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings

had in the matter of the application for the enrollment of

Maryest, deceased, as a citizen by blood of the Creek Nation,

including the decision of the Commissioner to the Five Civilized

Tribes, denying said application.

Respectfully,

Commissioner.

IM-22.

Through the Commissioner
of Indian Affairs.

-2-

as a citizen by blood of the Creek Nation, and the application
for her enrollment as such is accordingly denied.

COMMISSIONER.



Washoe, Indian Territory.

FEB 28 1907

OGH
CM

Gr. No. 828
Gr. I. 2947

COMMISSIONER TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

In the matter of the application for the enrollment of
Margaret, deceased, as a citizen by blood of the Creek Nation.

D E C I S I O N

The record in this case shows that on May 23, 1901 the name of Margaret was listed by the Commission to the Five Civilized Tribes on Creek Indian card, Field No. 2947, the name of said person appearing upon the 1898 pay roll of the Creek Nation, which listing was done in order to preserve whatever rights said person might have as a citizen of the Creek Nation. The listing of said name is considered in the nature of an original application for the enrollment of said person as a citizen by blood of the Creek Nation. Testimony was offered in this case July 11, 1904, October 28, 1904, November 2, 1904, February 27, 1905, February 28, 1908 and March 10, 1908.

It appears from the evidence that beginning in the fall of 1898 and in the spring of 1899 there was an epidemic of smallpox in the western part of the Creek Nation during which time said Margaret died of the disease; and that said Margaret, deceased, was the mother of Hoke Larney, deceased, whose name is included in a schedule of citizens by blood of the Creek Nation approved November 14, 1902, opposite No. 9807.

The records of this office show that under date of February 20, 1907, the Commissioner made a report to the Department in the matter of the right to enrollment of said Hoke Larney et al., recommending that their names be stricken from the approved roll of citizens by blood of the Creek Nation, for the reason that evidence had been introduced showing that they died prior to April 1, 1899 of the smallpox during the epidemic above mentioned.

The evidence in this case shows that said Margaret and Hoke Larney died about the same time, and one witness testifies that said Margaret was the first of the two to die. The preponderance of the evidence shows that said Margaret died prior to April 1, 1899.

It is, therefore, ordered and adjudged that there is no authority of law for the enrollment of said Margaret, deceased.

Q How old are you? A Thirty-three.
Q What is your post office address? A Okemah.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Arkansas.
Q Did you know Margie Larney? A Yes, sir, I knowed Margie Larney.
Q How far from you did she live? A She lived about two miles
from where I live now and she moved over there about three miles
when she died.
Q Do you know when she died? A I don't know the exact date. They
commenced dying right after Old Christmas---after New Years the next
eight days they call the Old Christmas---right after that, about the
last of January or the first of February they commenced dying.
Q Did Margie Larney die at that time? A Yes, sir.
Q Did you know Hoke Larney? A Yes, sir.
Q Did you know her children? A Yes, sir, I did but I don't believe
I could call all their names.
Q When did they die? A They died just about the same time. They
died after the death of the old lady. They all died just one right
after another.
Q Do you know whether or not Hoke Larney had a half sister named
Melissa Larney? A No, I don't know.
Q Was she ever known as Melissa? A Not that I know of. I never
knowed her by that name.
Q Did you know a member of that family named Barwick? A No I
don't recollect her. Perhaps I know her but don't know her by that
name.
Q Who was Hoke Larney's husband? A Melissa.
Q Is he living? A He died too.
Q Do you remember the circumstance of the opening of the Greek Land
Office? A Yes, sir, if I mistake not it opened up the first day
of April, 1900.
Q Did you say these people died in 1899? A Yes, sir. I think
I gave you that wrong, didn't the land office open in 1899. I filed
in 1900 and it was a year after the land office opened.
Q Did these people die before or after the land office opened? A
They died before the land office opened. They died in 1899 but it
was in the month of February.
Q You are positive? A Yes, sir. The first day of April the land
office was to be opened and Peggie Simmons brought that advertisement.
Q At that time none of these people were living? A None of them
were living.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
exams on said date.

Subscribed and sworn to before me this 10th day of May, 1900.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
OKEMAH, I. T., February 28, 1908.

U-3278.
No. 697-836.

In the matter of the enrollment of Hoke Larney et al., as
citizens by blood of the Creek Nation.
MARLY HARLO, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

BY COMMISSIONER:
Q What is your name? A Marly Harlo.
Q How old are you? A I do not know.

Witness appears to be about thirty years old.

Q What is your post office address? A I have no post office
address. (Cattle)
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Hutochopka.
Q Do you know Hoke Larney? A Yes, sir, I knew her all my life.
Q Did she have any children? A She had three children, two boys and
and a girl.
Q What were their names? A Andy, Harper and Wiley.
Q Who was the father of these children? A Melissae.
Q Did you know Melissae Larney? A Yes, sir, Melissae Larney and
Hoke Larney are one and the same person. She was the daughter of
Arvasee Larnestah who belonged to Hutochopka Town.
Q Do you know when Hoke Larney and her children died? A I am
unable to fix the date but they all died in the winter of the year
the small-pox was so bad in this part of the country.
Q In what month do you think it was that they died? A I do not
know whether it was December or January but they were the first to
die of the small-pox in this immediate vicinity. They caught the
small-pox while on a visit to Barney Thlocoo, a brother of Hoke
Larney's husband, up at Hillsbee Hutoch, they came back home and
not one of the family survived.
Q Do you remember the circumstance of the opening of the Creek
Land Office? A I remember of people talking about allotment and
going to Muskogee to file.
Q Do you know whether or not these people died before or after the
opening of the land office? A They died before people began filing
on their own land.
Q Did you know Martha or Margie Larney? A Yes, sir.
Q Do you know when she died? A At the same time that Hoke Larney
and the rest of the family died.
Q What relation was she to Hoke Larney? A Mother.
Q Did you know Barwaska? A Her proper name was Barwaska.
Q What relation was she to Margie Larney? A Sister.
Q How old was she? A She was over middle age.
Q Do you know when she died? A At the time the rest of the family
died.
Q To what town did these people belong? A Tushabatche.

Aaron Grayson, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSIONER:
Q What is your name? A Aaron Grayson.

En. 897.
836.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
OKEMAH, I. T., February 27, 1905.

In the matter of the enrollment of Hoke Larney et al., as
citizens by blood of the Creek Nation.
JACKSON KNIGHT, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

BY COMMISSIONER:
Q What is your name? A Jackson Knight.
Q How old are you? A About fifty-one.
Q What is your post office address? A Boley.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Arbock.
Q Did you ever hold any official position in the Creek Nation? A I
used to be Town King of Arbock and also Light Horseman.
Q Did you know Hoke Larney? A Yes, sir. but I do not know any of
her children.
Q Do you know when she died? A No, sir, I am unable to give you the
date of her death--she died of the small-pox.
Q Did she die before or after the Creek Land Office opened? A She
died before people began filing.
Q What fixes it in your mind that she died before that time? A
Because no one had made selection of land at the time the small-pox was
raging in this section of the country and was so fatal. The disease
was most fatal during the months of December and January preceding
the opening of the Creek Land Office. ~~Hoke's~~ husband Metcalf or
Jesse, caught the disease up at Hillabee Huford and came home and the
whole family then caught the disease and every one of them died with
it.
Q Did you know Markey Larney? A Yes, sir.
Q When did she die? A She died at the same time.
Q What relation was she to ~~Hoke Larney~~ Hoke Larney? A She was
Hoke Larney's mother.
Q Did you know a member of that family named Ramsey? A No, sir, I
only know Markey and Hoke. I do not know any of the children.
Alburtie Harjoche's wife would probably give you the names of all of
them. She lives near Castle.
Q Are you positive that Hoke and Markey Larney died before the
land office opened? A Yes, sir.

-----0:-----

I, D. C. Shaffer, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 8 day of April, 1905.

[Signature]
Notary Public.

Q Now Margaret any brothers or sisters living? A The deceased to
Washington Town and if she had any relatives they lived over there
and I was not acquainted with them.
Q Now Margaret married? A No, sir. I understood she had a husband
at one time but she had no husband at the time of her death.
Q What was her last office address at the time she died? A Alaska.
Q Did she ever have a daughter named Margaret? A I do not know.
Q Would it be a good witness in this case.
Q What is her last office address? A Okeana.

---000000---

I, D. O. Skyles, do hereby state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
deposition on said date.

D. O. Skyles

Subscribed and sworn to before me this 12 day of November, 1904.

Notary Public
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., November 2, 1904.

In the matter of the application for the enrollment of Margaret,
deceased, as a citizen by blood of the Creek Nation.

NOTUS PIXICO, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission:

Q What is your name? A Notus Pixico.
Q How old are you? A Sixty-three.
Q What is your post office address? A Okemah.
Q To what town in the Creek Nation do you belong? A Tutwathloosee.
Q Did you know Margaret? A Yes, sir.
Q Is she living? A Dead.
Q How long has she been dead? A She died in the year that the
Greek Land Office was opened.
Q Did she die before or after the Greek Land Office opened? A She
has been dead something like five years--I think she died after the
land office opened.
Q In what month did she die? A It was either in March or April.
Q Had people begun farming operations when she died? A Yes, sir,
the white farmers were plowing their ground but none of the Indian
farmers had begun.
Q How high was the grass? A The grass was just beginning to appear
and was quite green in the valleys.
Q Had the people in your neighborhood begun filing on their land
when Margaret died? A Yes, sir, some of them had come to Muskogee
and filed on their allotments.
Q Can you name any one who had filed on his allotment at the time
she died? A No, sir, the people in my immediate neighborhood were
against taking allotments and it was about a year after the opening
of the land office before any of them filed upon their land but the
people in the eastern part of the Nation were filing upon their land
at the time she died.
Q Are you positive that people were filing upon their land before
she died? A Yes, sir, I am positive.
Q Are you positive that she died in either March or April? A Yes,
sir.
Q Do you remember the circumstance or the opening of the Greek Land
Office? A Yes, sir, it was in April.
Q What year was it? A 1892.
Q How could she have died in March if she died the year the land
office opened and died after people had begun filing on their land?
A I only remember the circumstance and I may be mistaken but I know
the white people had begun farming operations and white people,
as a rule, begin plowing in March.
Q About how long was it after the filing had begun that she died? A
I cannot be positive about the month.
Q With what disease did she die? A I was told she died with the
malaria.
Q Did she live in your neighborhood? A She lived about ten miles
from my place.
Q Did she die when the malaria first broke out or about the time
it was coming? A She died about the time the malaria disappeared.
Q Was she placed in a grave-house when she had the disease? A She
died at her own house.
Q Has she any children living? A She had one, a daughter.
Q What was her name? A I do not know her name. I know her name at
the time I was a child.

C. 2947.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE RIVER CIVILIZED TRIBES.
Oklahoma, I. T., October 28, 1904.

In the matter of the application for the enrollment of Margaret
as a citizen by blood of the Creek Nation.

LAWYER DEERE, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A Lawyer Deere.
Q How old are you? A I was six years old at the out-break of the
Civil War.
Q What is your post office? A Yeager.
Q Did you know Margaret? A Yes, sir, Her proper name was Margaret
Lawney. She was the daughter of Arthur Hebiye.
Q Is she living or dead? A She is dead.
Q How long has she been dead? A She died at the time the smelter
was so fatal in the western part of the Creek Nation.
Q Was that before or after the Creek Land Office opened? A I am of
the opinion that she died before the Curtis Act went into effect. It
was when the smelter first broke out in the Creek Nation.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

D. C. Skaggs

Subscribed and sworn to before me this 11 day of Nov, 1904.

Charles D. Skaggs
Notary Public.

CR EN 83P

CR EN 83P

En. 838.

Muskogee, Indian Territory, May 23, 1908.

M. J. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

You are hereby advised that the Secretary of the Interior,
under date of May 12, 1908, affirmed the decision of the Commission
to the Five Civilized Tribes, dated April 20, 1908, denying the
application for the enrollment of Mary Herred, as a citizen by blood
of the Creek Nation.

Respectfully,

Chairman.

Wm. 838.

Muskogee, Indian Territory, May 23, 1905.

David Herrod,

Galvin, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior,
under date of May 12, 1905, affirmed the decision of the Commission
to the Five Civilized Tribes, dated April 20, 1905, denying the
application for the enrollment of your minor child, Mary Herrod,
deceased, as a citizen by blood of the Creek Nation.
Respectfully,

Chas. J. Smith.

832

Refer in reply to the following:
Land: 32735-1905.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON, May 3, 1905.

The Honorable,
The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commission to the Five Civilized Tribes, dated April 24, 1905, transmitting the record of the application for enrollment as a citizen by blood of the Creek Nation of Mary Herrod, deceased. April 20, 1905, the Commission decided adversely to the

application.

The record shows that Mary Herrod, was born subsequent to April 1, 1899, and died prior to July 1, 1900. In view of the record and the approval of the Commission's decision adverse to the application.

Very respectfully,

C. F. Larrabee,
Acting Commissioner.

M. M. W.

22832

DEPARTMENT OF THE INTERIOR,

WASHINGTON, May 12, 1905.

I.T.D. 2108-1905.

MRS. L.H. GR.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

April 24, 1905, you transmitted the record in the matter of the application for the enrollment of Mary Herrod, deceased, as a citizen by blood of the Creek Nation, including your decision dated April 20, 1905, wherein you found that "the evidence shows that said Mary Herrod was born subsequent to April 1, 1899, and died prior to July 1, 1900x", and therefore denied the application. May 5, 1905, the Acting Commissioner of Indian Affairs reporting in the matter, recommended that your decision denying said application be affirmed. A copy of his letter is hereto attached. The Department concurs in the recommendation made and your decision, dated April 20, 1905, denying said application, is hereby affirmed.

Respectfully,

(Signed) Thos. Ryan,

Acting Secretary.

1 inclosure.

Q. W.

Creek No. 838.

Muskogee, Indian Territory, April 24, 1908.

David Herrod,

Calvin, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Mary Herrod, deceased, as a citizen by blood of the Creek Nation, denying said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

Register.

SEP-4-24-8.

2. 20.

Creek No. 838.

Muskogee, Indian Territory, April 24, 1908.

M. I. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commission to the Five Civilized Tribes in the matter of the application for the enrollment of Mary Herrod, deceased, as a citizen by blood of the Creek Nation. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Chairman.

208-4-24-8.

Q. Q.

Creek In. 838.

Manokoe, Indian Territory, April 24, 1908.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings
in the matter of the application for the enrollment of Mary Herrod,
deceased, as a citizen by blood of the Creek Nation, including the
decision of the Commission, dated April 20, 1908.
Respectfully,

Chairman.

Through the

Commissioner of Indian Affairs.

SEP-4-24-7.

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COPY.

B. A. 78.

Muskogee, Indian Territory, November 18, 1903.

David Herrod,

Calvin, Indian Territory.

Dear Sir:

There is on file with the Commission an affidavit executed

by you relative to the birth and death of your minor child, Mary

Herrod, who, it is claimed, is entitled to enrollment as a citizen

of the Creek Nation. It is desired that further evidence be submitted

in the case.

You are therefore required to appear before the Commission

at its office in Muskogee, Indian Territory, with two witnesses who

know the dates of the birth and death of said child, for the purpose

of being examined under oath.

Respectfully,

Chairman.

COMMISSION TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

--:0:--

In the matter of the application for the enrollment of Mary Herrod, deceased, as a citizen by blood of the Creek Nation.

--: D E C I S I O N :--

The record in this case shows that on March 18, 1902, the affidavit of David Herrod, relative to the death of Mary Herrod, was filed with the Commission, at Muskogee, Indian Territory, which said affidavit is considered by the Commission as an application for the enrollment of said Mary Herrod, deceased, as a citizen by blood of the Creek Nation. Further proceedings were had November 2, 1904, and December 8, 1904. The evidence shows that said Mary Herrod was born undetermined to April 1, 1899, and died prior to July 1, 1900. It is, therefore, the opinion of the Commission that there is no authority of law for the enrollment of said Mary Herrod, deceased, as a citizen by blood of the Creek Nation, and that the application for her enrollment as such should be denied, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

APR 20 1905

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Calvin, I. T., December, 8, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Mary Herrod, deceased, as a citizen by blood of the
Greek Nation.

DAVID HERROD, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A David Herrod.
Q How old are you? A Forty-four.
Q What is your post office address? A Calvin.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Tropicopolis.
Q Did you have a child named Mary? A Yes, sir.
Q You have heretofore given testimony in this case have you? A
Yes, sir.
Q You stated in your testimony, given at Okmulgee, that you had a
record of the birth and death of Mary, have you that record now? A
I have made a thorough search for the record since my return from
Okmulgee but I have been unable to find it, but I think I know now
when the child died. I have a statement from the merchant from whom
I purchased burial clothes for the child, made on the day that the
child died. The merchant's name was Smythe but the bill of the goods
was made by his clerk Barney Brumer.

The witness presents a statement of a bill of goods from
L. J. Smythe, dated at Calvin, Indian Territory, June 14, 1899,
in which the following items appear:

| | |
|---------------|-----------------|
| 20. | 3 yd. black--74 |
| 15 | 2 1/2 yd. Cal. |
| 10 | 1 Hdk |
| 15 | 1 Bot Cologne |
| 5 | 1 Box Soap |
| 10 | Tobacco |
| 10 | Walla |
| 20 | 2 1/2 yd. lace |
| <u>\$1.10</u> | |

Signed L. J. Smythe.

Q How long after the child died was this bill rendered? A The same
day the child died.
Q Did you go to Calvin yourself and get this bill of goods on the
same day that Mary died? A Yes, sir.
Q Were part of these articles purchased for use in the burial of the
child? A Yes, sir.
Q How old was the child when it died? The child was about a month
old.
Q In what month was it born? A The child was born in May.
Q What year? A 1899.

I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
examination on said date.

Subscribed and sworn to before me this 20 day of December, 1904.
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oganizsee, I. T., November 2, 1904.

In the matter of the application for the enrollment of Mary Herrod, deceased, as a citizen by blood of the Creek Nation.

DAVID HERROD, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A David Herrod.
Q How old are you? A Forty-four.
Q What is your post office address? A Calvin.

Reference is here made to Creek Card No. 2279.

Q Are you the Town King of Topeka Town? A Yes, sir.
Q Have you a child that is dead named Mary? A Yes, sir.
Q How old was that child when it died? A About a month old.
Q In what month was the child born? A I think it was born in June.
Q In what month did the child die? A On the fourth of July.

Through Alex Poney Official Interpreter:

Q What year was that? A I have the record of the death at home.
Q Did that child die on the fourth of July or on the 14 of July? A
The child was born in June-I don't know what day in June-and died on
the fourth day of July.
Q How long has that child been dead? A I think it was about three
years ago.
Q Three years ago last July? A Yes, sir.
Q Did you say you had a record of the date of the birth and death of
the child? A Yes, sir.
Q What kind of a book is the record written in? A A pocket memo-
randum book.
Q Have you that record with you? A No, sir.
Q Have you that record with you? A No, sir.
Q Have you heretofore filed birth and death affidavits for that child
with the Commission? A Yes, sir.
Q Were the dates in the affidavit taken from the record you have at
home? A Yes, sir.

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I, D. C. Shanks, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 14 day of November, 1904.

Charles H. Shanks
Notary Public.

CR EN 832

CR EN 832

OT. No. 834.

Muskogee, Indian Territory, February 7, 1906.

M. L. Hoff,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:-

You are hereby advised that on January 31, 1906, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes denying the application for the enrollment of Nathan Jones, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Acting Commissioner.

Cr. No. 824.

Muskogee, Indian Territory, February 7, 1906.

Haikee Jones,

Ianna, Indian Territory.

Dear Sir:

You are hereby advised that on January 31, 1906, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes denying the application for the enrollment of your deceased minor child, Nathan Jones, as a citizen by blood of the Creek Nation.

Respectfully,

Acting Commissioner.

MM
C

C. F. Larabee
Acting Commissioner.

Very respectfully,

adverse to the application is recommended.

1901 (31 Stats., 861), the approval of the Commissioner's decision

In view of the record and of Section 28 of the act of March 1,

at the time of his death and that he died prior to April 1, 1899.

pay roll of the Greek Nation; that he was less than two years old

The record shows that Nathan Jones is identified on the 1895

application.

January 12, 1906, the Commissioner decided adversely to the

the Greek Nation of Nathan Jones, deceased.

record of the application for enrollment as a citizen by blood of

the Five Civilized Tribes dated January 15, 1906, transmitting the

I have the honor to enclose a report from the Commissioner to

Sir:

The Secretary of the Interior.

The Honorable,

5443-1906.
Lmd:

January 24, 1906.

WASHINGTON.
OFFICE OF INDIAN AFFAIRS,
DEPARTMENT OF THE INTERIOR,

(COPY)

(COPY)

SECRETARY'S OFFICE
DEPARTMENT OF THE INTERIOR
WASHINGTON, D. C.
JANUARY 31, 1906.

I.T.D. 1422-1906.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

January 15, 1906, you transmitted the record in the matter of the application for the enrollment of Natchah Jones, deceased, as a citizen by blood of the Creek Nation.

Reporting January 24, 1906, the Indian Office recommended that your decision, adverse to the applicant, be approved. A copy of its letter is inclosed.

The Department concurs in said recommendation, and your decision dated January 12, 1906, is hereby affirmed.

Respectfully,

Thos Ryan
First Assistant Secretary.

I inclose.

En. 834

Muskogee, Indian Territory, January 18, 1906.

M. L. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Nathan Jones, deceased, as a citizen by blood of the Creek Nation.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

AG) 64

En. 834

Manatee, Indian Territory, January 10, 1906.

Walter Jones,

Manatee, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of your minor child, Walter Jones, as a citizen by blood of the Creek Nation, denying said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same. Respectfully,

Commissioner.

AG-83

No. 834

Muskegon, Indian Territory, January 18, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Nathan Jones, deceased, as a citizen by blood of the Creek Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated January 18, 1906.

Respectfully,

Commissioner.

Through the

Commissioner of Indian Affairs.

AG-66

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Latkah Jones, deceased, as a citizen by blood of the Greek Nation.

.....Decision.....

The name of Latkah Jones, deceased, as Lat-Kah One More, was on May 22, 1901, listed on Greek Indian card, Field No. 2705, which card is considered as an application for the enrollment of said Latkah Jones, deceased, as a citizen by blood of the Greek Nation.

Further proceedings were had November 2, 1904, November 28, 1904, September 8, 1905, September 15, 1905, and November 22, 1905. A copy of the testimony of January 22, 1906, in the matter of the enrollment of Chene and Folie Homasta as citizens by blood of the Greek Nation is made part of the record herein. The evidence shows that said Latkah Jones is identified on the 1895 pay-roll of the Greek Nation, that she was less than two years old at the time of her death, and that she died prior to April 1, 1899. It is, therefore, ordered and adjudged that there is no authority of law for the enrollment of said Latkah Jones, deceased, as a citizen by blood of the Greek Nation, and the application for her enrollment as such is accordingly denied.

Commissioner.

Managoo, Indian Territory.

AN IS 1906

I.D.

OF EN 834

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Katchah Jones, deceased, as a citizen by blood of the Creek Nation.

.....DECISION.....

The name of Katchah Jones, deceased, as Katchah and more was on May 22, 1901, listed on Creek Indian card, field No. 2706, which said card is considered as an application for the enrollment of said Katchah Jones, deceased, as a citizen by blood of the Creek Nation.

Further proceedings were had November 2, 1904, November 28, 1904, September 8, 1905, September 12, 1905, and November 22, 1905. A copy of the testimony of January 22, 1906, in the matter of the enrollment of Katchah Jones, deceased, as a citizen by blood of the Creek Nation is made part of the record herein.

The evidence shows that said Katchah Jones is identified on the 1895 pay-roll of the Creek Nation, that she was less than two years old at the time of her death, and that she died prior to April 1, 1899.

It is, therefore, ordered and adjudged that there is no authority of law for the enrollment of said Katchah Jones, deceased, as a citizen by blood of the Creek Nation, and the application for her enrollment as such is accordingly denied.

Commissioner.

Lawrence, Indian Territory.

JAN 2 1906

I.D.


OR IN 834

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Natchez Jones, deceased, as a citizen by blood of the Creek Nation.

SUBMITTAL STATEMENT.

1895 Lay-Roll of the Creek Nation examined and at Nos. 35 to 41, inclusive, appear the names of the family of Levis Jones. No. 41 appears on said roll as "One More Child" and the name "Natchez" is written in red ink above this description. said "One More Child" or "Natchez" is identified as the applicant herein.


Acting Commissioner.

W. O. Jones, Indian Territory,
November 22, 1905.

office? A They both died before the land office opened. I know that
 Lawyer Manley died before the land office opened, as my record shows,
 and I know that Chape and Wells died before he died.
 Q Have you any interest in this case? A I have no interest whatever
 in the case, except to see our friends carried out to the letter.
 The matter would probably have escaped my notice had not John Moore
 tried to have Barker's, his grandmother, enrolled and given an affidavit
 claiming that she was living at the time of the meeting of the
 Baptist Association on Middle Creek, and claiming that the meeting of
 the Association was held in August 1899. There was no meeting of the
 Baptist Association on Middle Creek in August 1899, it was in August
 1898. The people met there however to have a meeting of the Association
 in 1899, but the attendance was too small for the transaction of
 of any business and they dispersed. I was there Monday, August 21,
 1899, and remember that on returning home I found my sister-in-law
 very ill and she died. Her name was Linda Smith. I can furnish you
 the record of her death also. At that time Lawyer Manley and Barker
 Gee, Chape and Wells Homestead were not living. Lawyer Manley was my
 wife's father and if he had been entitled to any land I certainly
 would have gone before the Commission and made application for him.
 Q Did you ever hold any official position in the Creek Nation? A
 I served four years as a member of the Creek Council, Captain of the
 Light Horse six years and two years as Prosecuting Attorney for
 Tulsa District.

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I, D. C. Skaggs, on oath state that the above and foregoing is a
 full and true transcript of my stenographic notes as taken in said
 cause on said date.

Subscribed and sworn to before me this 6 day of February, 1905.
[Signature]
 Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE RIVE CIVILIZED TRIBES.
Dunedin, I. T., January 22, 1906.

In the matter of the enrollment of Chepe and Polie Homahia as
officers by blood of the Greek Nation.

PARNKY GREEN, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Parnky Green.
Q How old are you? A Going on forty-four.
Q What is your post office address? A Hanna.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Woonake.
Q Did you know Chepe and Polie Homahia? A Yes, sir.
Q Who were the parents of these children? A Homahia was the
mother and Chatoher Homahia was the father.
Q Do you know when Chepe died? A Chepe died the summer of 1897
according to my best recollection.
Q What circumstance fixes it in your mind that he died at that time?
A Because I know when Lawyer Manley and Sarnagee died.
Q When did Lawyer Manley and Sarnagee die? A Sarnagee died in
September 1898 and Lawyer Manley died February 27, 1899.
Q Was there a record made of the death of either of these two per-
sons? A I have the record of the death of Lawyer Manley.

The witness presents a Day-book containing various records
and accounts. Under the caption "People who have died" is found the
following entry: "Feb 27, Lawyer Manley 1899-----28."

Q Does this entry (reading the said entry to witness) refer to the
death of Lawyer Manley? A Yes, sir.
Q What does the '28' following '1899' signify? A The number of
persons whose deaths I have recorded in this book.
Q When did you make the record of the death of Lawyer Manley? A
The same day that he died. I have been in the habit for many years,
both as an officer and private citizen, of keeping a record of the
deaths of my neighbors and friends, finding that such record was
often useful in fixing dates.
Q How long before Lawyer Manley died did Chepe die? A I cannot be
positive of the date but it was over a year, and I am positive that
he died before Lawyer Manley died.
Q Why did you not make a record of Chepe's death? A I had no
special interest in him. He was neither a member of my town nor
a kinsman.
Q Were you present at his burial? A I attended another funeral on
that day and was not present at his funeral.
Q Whose funeral did you attend? A A child of Wotkeche. The child
died at the Pukon Talahease Rd near Grouse and the coffin for
Chepe and this child were made there that day.
Q How old was Chepe at the time of his death? A He was probably
about fourteen years old but I am not certain.
Q When did Polie die? A He died in 1898. I think in the summertime.
He died just before the Meeting of the Baptist Association which was
held in August on Middle Creek.
Q How old was he at the time of his death? A Probably about ten-
I can only guess at their ages.
Q Do you remember the circumstances of the opening of the Greek Land
Office? A Yes, sir, the land office opened April 1, 1899.
Q Did Chepe and Polie die before or after the opening of the land

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE RIVER CIVILIZED TRIBES.
Burney, I. T., November 28, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Notka Jones as a citizen by blood of the Creek Nation.

HAIRKEE JONES, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Hairkee Jones.
Q How old are you? A About sixty.
Q What is your post office address? A Lenna.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Broken Arrow.
Q Did you have a child named Notka Jones? A Yes, sir.
Q Is Notka living? A No, sir, he is dead.
Q How long has he been dead? A About three years--may be a little
over three years.
Q Do you know in what year he was born? A I do not know the year
he was born in. I had a record but I lost it.
Q How old was he when he died? A About two years old.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir, I remember the circumstance.
Q Did Notka die before or after the opening of the land office? A
He died after the land office opened.
Q Are you positive that he died after the land office opened? A
Yes, sir.
Q Are you positive that he has not been dead more than three years?
A Yes, sir.
Q Do you know about what month he died? A His mother died about
the 22 of September--that was about four days after Notka died.
Q Do you remember what year it was? A I have tried time and again
to have some of my friends to go to Muskogee to see about this child
because I was told it was entitled but I have never been able to get
them to do so. I myself am not able to bear the expenses of going
there to make the application.

The witness is very deaf and it is exceedingly difficult to
secure his testimony, with regard to making him understand the
questions put to him.

Q Has land been selected for the mother of the child? A Yes, sir,
she was filed arbitrarily by the Dawes Commission.
Q Under what name was she filed? A Lenna Jones. I have three
other children that died about the time that Notka died--Adam, Mattie
and Will. Mattie died in 1900 and the other two children died the
same year that Notka died.
Q Did Notka die before Adam and Will? A Notka died first.

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I, D. O. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 5 day of November, 1904.

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., November 2, 1904.

In the matter of the application for the enrollment of Nathan Jones as a citizen by blood of the Creek Nation.
DOC WILLINGHAM, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

BY COMMISSION:
Q What is your name? A Doc Willingham.
Q How old are you? A Fifty-five.
Q What is your post office address? A Tanna.
Q Did you know Nathan Jones? A Yes, sir.
Q Is he living or dead? A Dead.
Q How long has he been dead? A I think she has been dead about three years.
Q What fixes it in your mind that she has been dead about three years? A My wife has now been dead two years and Nathan Jones died about a year previous to the death of my wife.
Q How old was Nathan Jones when she died? A I do not know but it was a young child.
Q Who was her father? A Hagie Jones.
Q What was the name of her mother? A Lolina Jones.
Q Did Nathan Jones die before or after the Creek Land Office opened?
Q She died quite a while after the Creek Land Office opened.
Q Was Nathan Jones born before the Creek Land Office opened? A I do not know.
Q What time of the year did she die? A The early Fall---probably in September.
Q How old was the child when it died? A I did not know the age of the child but it could not walk---it could only crawl.
Q Could the child talk? A I could not talk.
Q According to your best judgment how old do you think the child was at the time of its death? A I would say about a year old.
Q Were you present when the child died? A I was present at the burial. I have lived near neighbors to the parents of the child a long time and know the family well.

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I, D. C. Shaffer, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cases on said date.

[Signature]

Subscribed and sworn to before me this 14 day of November, 1904.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., November 2, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Natchah Jones, deceased, as a citizen by blood of the
Greek Nation.

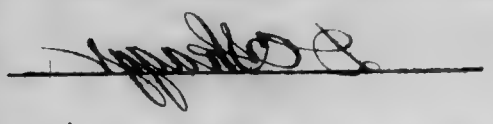
LIMBO GARR, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

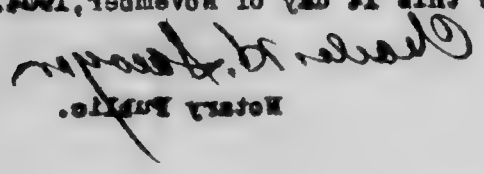
BY COMMISSION:

Q What is your name? A Limbo Garr.
Q How old are you? A Fifty-two.
Q What is your post office address? A Ienna.
Q Are you citizen of the Greek Nation? A Yes, sir, I represent
Goweta Town in the House of Warriors.
Q Did you know Natchah Jones? A Yes, sir.
Q He is dead is he? A Yes, sir.
Q When did he die? A I do not know when he died although I was pres-
ent at her burial.
Q How long has it been since she died? A According to my best
recollection she has been dead between four and five years.
Q Did she die before or after the opening of the Greek Land Office?
A She died after the opening of the Greek Land Office.
Q How long after? A I do not know.
Q Do you know any one who would likely know when she died? A Her
father, Natchah Jones, is a business-like Indian and keeps a record
of his transactions and I think it is quite likely that he has a
record of the date of her death.
Q What is his post office address? A Ienna.

I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
examination on said date.



Subscribed and sworn to before me this 14 day of November, 1904.


Notary Public.

my house.
Q When did Mattie die? A In August of the year the meeting of the
Fugitive Association was held on Middle Creek. She died about a week
before the meeting.

Reference is here made to the testimony taken in the matter
of the application for the enrollment of Chas and Willie Hammetts.

Q Did you attend that meeting? A Yes, sir. I attended the meeting
and at that time the child was dead.
Q Which died first Mattie or Nathan? A Nathan died first. Mattie
died something like two years after Nathan died.

HAIKKEE JONES, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY THE COMMISSIONER:

Q What is your name? A Haikkee Jones.
Q How old are you? A About sixty.
Q What is your post office address? A Lanna.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Broken Arrow Town.
Q Did you have a child named Nathan? A Yes, sir, the child was a
boy.
Q What was the name of his mother? A Lanna.
Q To what town does Lanna belong? A Weorkine.
Q You have heretofore given testimony in this case have you not?
Yes, sir.
Q Have you succeeded in fixing the date of Nathan's death? A No,
sir. I have never been able to determine when the child died. I
had a record of his death but have lost it.
Q Do you remember when the 1893 Payment was made? A Yes, sir.
Q Was Nathan living at that time? A Yes, sir.
Q How long after the 1893 Payment was it that Nathan died? A About
a year or little over after the payment was made.
Q How old was the child at the time it died? A Nearly two years
old.
Q Do you remember the circumstances of the opening of the Greek Land
Office? A Yes, sir.
Q Did the child die before or after the opening of the Greek Land
Office? A He died before the land office opened.
Q You stated in your testimony, given before the Commission November
28, 1906, that the child had been dead about three years or over and
that it died after the opening of the Greek Land Office? A I was in
error because the child had been dead something like nine years. I
must have misunderstood your question as I am very hard of hearing.
Q In what time of the year did Nathan die? A About this time of
the year. I have lost three other children besides Nathan.
Q What are their names? A Adam, Mattie and Eli.
Q When did Mattie die? A In July 1900.
Q When did Adam and Eli die? A That died in September.
Q In what year? A 1901. They were twins and died when they were
something like ten or eleven days old.

I, D. C. Spang, on oath state that the above and foregoing
is a full and true transcript of my stenographic notes as taken in
said case on said date.

Subscribed and sworn to before me this 1 day of October 1906.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Bureau, I. T., September 15, 1902.

In the matter of the application for the enrollment of William Jones, deceased, as a citizen by blood of the Creek Nation.
ANNIE JONES, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY THE COMMISSIONER:

Q What is your name? A Annie Jones.
Q How old are you? A Twenty-two.
Q What is your post office address? A Lanna.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Weogukka.
Q Do you know Haise Jones and his wife, Louisa Jones? A They are my parents.
Q Do you know a child of theirs named William? A Yes, sir, he was my brother.
Q When did he die? A I think he died in the Fall of the year.
Q Do you know in what year? A No, sir.
Q How many years has it been since the child died? A I do not know, it has been quite awhile ago.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Did William die before or after the opening of the land office? A I think he died before.
Q Do you remember when the \$14.00 payment was made? A Yes, sir.
Q Was William living at that time? A Yes, sir.
Q How long after the fourteen dollar payment did William die? A He died in the Fall of the following year after the payment.
Q Are you positive? A Yes, sir.
Q How old was William at the time of his death? A I do not know, just how old the child was but it was beginning to walk.

KATY DOWNING, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY THE COMMISSIONER:

Q What is your name? A Katy Downing.
Q How old are you? A I do not know my age.
Witness appears to be about thirty-eight years of age.
Q What is your post office address? A Bureau.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Weogukka.
Q Do you know Haise Jones and Louisa Jones? A Yes, sir. Louisa was my sister.
Q Did you know a child of theirs named William? A Yes, sir.
Q Do you know when the child died? A I have forgotten.
Q Was the child living when the 1898 payment was made? A Yes, sir.
Q How long after the 1898 payment was it that the child died? A The next year after the payment, in the Fall.
Q Are you positive? A Yes, sir.
Q Were you present when the child died? A No, sir, I was not present when the child died, but I was dead and prepared it for burial.
Q Further answer states that the child died at your house? A No.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Tenne, I. T., September 8, 1908.

In the matter of the application for the enrollment of Natchah Jones as a citizen by blood of the Creek Nation.

BARNEY DERRISAW, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSIONER:

Q What is your name? A Barney Derrisaw.
Q How old are you? A I am about fifty years old.
Q What is your post office address? A Tenne.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Coweta.
Q Do you know Hakee Jones and his wife, Levisa Jones? A Yes, sir.
Q His wife is now dead.
Q Do you know a child of theirs named Natchah? A Yes, sir.
Q The child is dead is it? A Yes, sir.
Q When did it die? A I cannot give you the exact date of the child's death though I made the coffin for the child and remember the circumstances of her death quite distinctly. It died across the North Fork River where they were visiting an Indian woman named Katy.
Q In what season of the year was that? A In the summer time. The child has been dead I think, about ten years. It was not long after the 1895 Payment.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Did Natchah Jones die before or after the opening of the Creek Land Office? A I think Natchah died after people began filing.
Q The child could not have died ten years ago and been living at the time the Creek Land Office opened? A Come to think about it I don't think the child has been dead ten years, for it was living when people were going to Muskogee to make selection of land.
Q Do you know any one who had made selection of land at the time the child died? A I cannot recall any single individual because the people in this neighborhood did not go to file as soon as the land office was opened, but at different times.
Q How old was the child when it died? A It was about two years old.
Q Have you ever executed affidavits relative to the date of the death of other children of Hakee and Levisa Jones? A Yes, sir. I executed affidavits about Mattie, Adam and Eli.
Q When did Mattie die? A In July, about five years ago.
Q When did Adam and Eli die? A About four years ago.
Q In what month? A In September.
Q Did you have a record to go by when you executed these affidavits? Q The dates as given in the affidavits were taken from a record which the father of the children had at that time.
Q Was Natchah living when you executed these affidavits? A I think so.
Q Are you positive that she was living then? A I can not be positive but I am of the opinion that the child was living at that time.
Q Do you know whether or not Hakee Jones still has the records to which you refer? A I think he still has the records.

I, D. G. Shreve, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said case on said date.
Subscribed and sworn to before me this 15 day of October 1908.

[Signature]
Notary Public.

CR EN 834

CR EN 834

Kn. 883.

Muskogee, Indian Territory, June 3, 1905.

Dear Sir:

Hanna, Indian Territory.

You are hereby advised that the name of George Givens is contained in the partial list of citizens by blood of the Creek Nation approved by the Secretary of the Interior May 23, 1905, and that application for a section of land in the Creek Nation may now be made for George Givens at the office of the Commission in Muskogee Indian Territory.

Respectfully,

Commissioner in Charge.

CR 10 833

Washington, Indian Territory, February 24, 1908.

M. L. Mott,

Attorney for the Creek Nation,
Washington, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the
Commission to the Five Civilized Tribes in the matter of the ap-
plication for the enrollment of George Given (deceased) as a citi-

zen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be af-
forded fifteen days from the date hereof within which to protest
against said decision, and if, at the expiration of that time,
no such protest has been made, said George Given (deceased) will
be regularly listed for enrollment as a citizen by blood of the
Creek Nation.

Respectfully,

Chairman.

LYK-24-38.

2.60.

Mr. 333

COMMISSION TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR,

In the matter of the application for the enrollment of George
Given, deceased, as a citizen by blood of the Creek Nation.

D E C I S I O N .

The records of the Commission show that George Given, deceased,
was listed for enrollment as a citizen by blood of the Creek Nation
May 23, 1901, on Creek Indian Card Field No. 3041.
Further proceedings were had at Muskogee, Indian Territory, July
15, 1904, at Okmulgee, Indian Territory, October 12, 1904, and at Mus-
kogee, Indian Territory, November 25, 1904.
The evidence shows that said George Given, deceased, is identified
on the 1830 Authenticated Tribal Roll of the Creek Nation, and the 1833
Pay Roll of said Nation, and that he was a resident of the Creek Nation
all his life.
The evidence further shows that said George Given, deceased, died
subsequent to April 1, 1899.
It is, therefore, the opinion of the Commission that said George
Given, deceased, should be enrolled as a citizen by blood of the Creek
Nation in accordance with the provisions of the acts of Congress, June
23, 1838 (30 Stat., 493) and March 1, 1901 (31 Stat., 851), and it is
so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

CHATHAM

COMMISSIONER

COMMISSIONER

MUSKOGEE, INDIAN TERRITORY

FEB 21 1905

2.2.

Im. 823

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE NINE CIVILIZED TRIBES.

In the matter of the application for the enrollment of George
Given, deceased, as a citizen by blood of the Creek Nation.

SUPPLEMENTAL STATEMENT

1890 Authenticated Tribal Roll of the Creek Nation examined and
George Given identified thereon at page 117, Hillabee Canadian Town.
1893 Pay Roll of the Creek Nation examined and George Given iden-
tified thereon at No. 24, Hillabee Canadian Town.



Commissioner in Charge.

Muskogee, Indian Territory,

November 25, 1904.

C. 3041.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., October 12, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of George Given as a citizen by blood of the Creek Nation.

JIM HILL, being duly sworn, testified as follows:

Partly through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A Jim Hill.
Q How old are you? A About forty-three.
Q What is your post office address? A Hason.
Q You are the Town King of Hillabee Canadian Town are you? A Yes,
sir.
Q Did you know a member of your town named George Given? A Yes,
sir.
Q He is dead is he? A Yes, sir.
Q Did he die before the Creek Land Office opened or after? A After
the land office opened.
Q About how long after? A About a year.
Q Do you know the year he died in? A I think in the Spring of
1900.
Q You are positive that he died after the land office opened? A
Yes, sir.

-----:0:-----

I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
examine on said date.

D. C. Skaggs

Subscribed and sworn to before me this 12th day of October, 1904.

James H. Henson

Notary Public.

Q Is he living? A Dead.
 Q Do you know when he died? A All that I am governed by is that
 this child was born in 1900 and George the same year when this
 child was about two weeks old.
 Q What is the name of the child you refer to? A Boyd Cummings.
 Q Is he your child? A Yes, sir.
 Q Have you a record of the date of his birth? A Yes. It is in
 this book.
 Q Who made the record? A His father.

The witness presents a book entitled "Bible Readings for
 the Home Circle". Between the pages 112 and 113 are blank pages
 for "Scripture Memoranda." On the second and third of the
 blank pages, in pencil, is a record of birth and death. The
 fifth record is as follows: "Boyd Cummings born March 29,
 1900."

Q Did George Given die at your house? A Yes, sir.
 Q Was he buried from your house? A Yes, sir.
 Q Was he any relation of yours? A Some relation but quite distant.
 He was nearer relatives.
 Q Did you nurse him during his last illness and up to his death? A
 Yes, sir.
 Q What is the name of the mother of George Given? A Watsy Given.
 DAVE CUMMINGS, being duly sworn, testified as follows:

By Commission:
 Q What is your name? A Dave Cummings.
 Q What is your age? A About sixty.
 Q What is your post office? A Hanson.
 Q Are you a citizen of the Greek Nation? A Yes, sir.
 Q What town do you belong to? A Hillabee.
 Q Exhibiting the book containing record offered as evidence herein
 (Exhibiting the book containing record offered as evidence herein)
 Mr. Cummings did you make this record in regard to the birth of
 Boyd Cummings? A Yes, sir.
 Q That is correct is it? A Yes, sir.
 Q Boyd Cummings is your son is he? A Yes, sir.

---000:0:000---

I, D. C. Skaggs, on oath state that the above and foregoing is
 a full, true and complete transcript of my stenographic notes as
 taken in said cause on said date.
 Subscribed and sworn to before me this 6th day of August, 1904.

Notary Public
 Notary Public.

C-3041.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Mellette, I. T., July 18, 1904.

In the matter of the application for the enrollment of George
Given as a citizen by blood of the Creek Nation.

JIM HILL, being duly sworn, testified as follows:

Through I. G. McIntosh Official Interpreter:

By Commission:
Q What is your name? A Jim Hill.
Q What is your age? A Forty-three.
Q What is your post office? A Hasson.
Q What town do you belong to? A Hillabee Canadian.
Q What official position do you hold in the Creek Nation? A I am a
member of the House of Kings representing Hillabee Town.
Q Did you know George Given? A Yes, sir.
Q Was he any relation of yours? A No, sir.
Q Is he living? A No, sir.
Q When did he die? A I can't be accurate in my statement but it is
my opinion it was in 1900.
Q What was George Given's father's name? A Jack Given.
Q What was his mother's name? A Wutay Given.
Q Had she an English name? A That is all the name she had.
Q Did you ever hear her called Annie Given? A That was his first
wife.
Q Annie is dead is she? A Yes, sir.
Q She was not the mother of George? A I am uncertain which one of
the two had the child.
Q What town did Annie belong to? A Hillabee Canadian.
Q What town did Wutay belong to? A Hillabee.
Q How old was George when he died to the best of your knowledge? A
Some where within 14 and 15. He might have been even older than
that.
Q Has he any brothers and sisters living? A None.
Q Who would be able to furnish the exact date of his death? A
Thomas Red of Catoosau might tell you. They were at the funeral
but I don't think they can. He died at Dave Cummings'. I have
where was he buried? A In Dave Cummings' grave yard.
Q an idea that I wrote the date on the head-board.
Q Do you know whether any person had filed on their allotment in the
Creek Nation before George Given died? A I think the filing
had begun. For Charley Gibson had a store and I had some inter-
est in the store and was doing the clerking and think it was in
1899 and I think it was a year after that that he died. He died
on the same place I was working. At Cummings'.
Q George Given belonged to your town didn't he? A Yes, sir.

LOUISA CUMMINGS, being duly sworn, testified as follows:

Through I. G. McIntosh Official Interpreter:

By Commission:
Q What is your name? A Louisa Cummings.
Q What is your age? A Thirty-seven.
Q What is your post office address? A Hasson.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Hillabee.
Q Did you know George Given? A Quite well. Knew him from child-
hood up.

CR EN 833

CR EN 833

FIELD NO. 2766 CARD NO. 2766

Roll. _____ Nation.

Post Office: Thumana, Chittoor Residence: _____

[illegible]

Cr En 832

Manakoo, Indian Territory, August 9, 1906.

Hopkoke,

Dustin, Indian Territory.

Dear Sir:

You are hereby advised that the name of your minor child,
Sarah Proctor, is contained in the partial list of citizens by
plead of the Creek Nation approved by the Secretary of the Inter-
rior July 31, 1906, and that application for a selection of land
in the Creek Nation for said child may now be made at the office
of the Commissioner to the Five Civilized Tribes, at Muskogee,
Indian Territory.
An entire allotment of 160 acres for said child must be
selected at the time of the original application.
Respectfully,

Acting Commissioner.

Cr. No. 828.

Muskogee, Indian Territory, April 21, 1906.

M. L. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the
Commission to the Five Civilized Tribes in the matter of the applica-
tion for the enrollment of Sarah Proctor as a citizen by blood of
the Creek Nation.

You are hereby notified that the Creek Nation will be
allowed fifteen days from the date hereof within which to protest
against said decision, and if, at the expiration of that time, no
such protest has been made, said Sarah Proctor will be regularly
listed for enrollment as a citizen by blood of the Creek Nation.

Respectfully,

Chairman.

IM-4-21-06.

I.D.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

En. 832.

-:0:-

In the matter of the application for the enrollment of
Sarah Proctor as a citizen by blood of the Creek Nation.

-: D E C I S I O N :-

The records of the Commission show that Lena, Sarah and
Ben Proctor were listed for enrollment as citizens by blood of
the Creek Nation May 22, 1901, on Creek Indian Card, Field
Number 2766.
Further proceedings were had at Okmulgee, Indian Territory,
October 28, 1904, at Weleetka, Indian Territory, November 9,
and November 10, 1904, and at Muskogee, Indian Territory, January
27, 1905.
Sarah Proctor is the only person considered in this decision.
The evidence shows that the name of said Sarah Proctor is
found on the 1895 Pay Roll of the Creek Nation.
The evidence further shows that said Sarah Proctor was
living November 10, 1904, and that she was a resident of the
Creek Nation on that date.
It is, therefore, the opinion of this Commission that
said Sarah Proctor should be enrolled as a citizen by blood of
the Creek Nation in accordance with the provisions of the acts
of Congress, June 28, 1898 (30 Stat., 495), and March 1, 1901
(31 Stat., 861), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

APR 20 1905

En. 832.

I.D.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

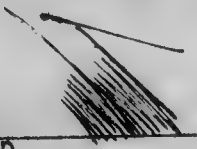
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In the matter of the application for the enrollment of
Sarah Proctor as a citizen by blood of the Creek Nation.

--: SUPPLEMENTAL STATEMENT:--

1895 Pay Roll of the Creek Nation, Weoguke Town, examined
and the name of Sarah Proctor found thereon at Number 236.

COMMISSION TO THE FIVE CIVILIZED TRIBES.



Commissioner.

Waskokee, Indian Territory,
January 27, 1905.

C. 2766.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Weslanka, I. T., November 10, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Lena, Sarah and Ben ~~Weslanka~~ as citizens by blood of the
Greek Nation.

HULLIE PROCTOR, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Hullie Proctor.
Q How old are you? A About thirty-four.
Q What is your post office address? A Dutton.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q What town do you belong to? A Weslanka.
Q Did you know Lena, Sarah and Ben Slumker, children of Hepioka
and Slumker? A Yes, sir.
Q Is Lena living? A Dead.
Q How long has she been dead? A She has been dead a long time.
Q Did she die before or after the opening of the Greek Land Office?
A She died before the opening of the land office.
Q How old was she at the time of her death? A About seven years
old.
Q Are you positive that she died before the opening of the Greek
Land Office? A Yes, sir.
Q Is Sarah living? A Yes, sir.
Q Is she known by any other name? A Sometimes known as Sallie.
Q How old is she? A I think Sallie is about eight years old.
Q Do you know whether or not land has been selected for Sarah (or
Sallie)? A Her father belongs to the Snake Nation and persistently
refused to take an allotment and I do not think that land has been
filled upon for her.
Q Sallie is living is she? A Yes, sir.
Q How long has it been since you saw her? A She is present at
this payment with her mother but I do not think that her mother will
be willing to appear before the Commission and give testimony about
her children. She and her husband have not received certificates of
allotment issued and sent to them by the Commission. (He explains
that they refuse to take them out of the post office)
Q Do you know Ben? A No, sir, but I knew a boy of theirs who was
sometimes called Maxey.
Q Is he living? A He is dead.
Q How long has he been dead? A Maxey died before Lena died.
Q Was that before or after the opening of the Greek Land Office? A
It was before--good while before.

---000000---

I, D. C. Skages, on oath state that the above and foregoing is a
true and complete transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 17 day of November, 1904.

Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE WIFE CIVILIZED TRIBES.
Wesley, I. T., November 10, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Lena, Sarah and Ben ~~Slumker~~ as citizens by blood of the
Greek Nation.

SLUMKER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Slumker.

Q Are you the mother of Lena, Sarah and Ben Slumker? A Yes, sir.

Q Is Lena living? A She is dead.

Q How long has she been dead? A She has been dead a good while.

Q How old was she when she died? A I do not know how old she was.

Q She was nearly as tall as I am.

Q Was she almost a grown woman? A Yes, sir.

Q Do you remember the circumstances of the opening of the Greek Land

Office? A Yes, sir.

Q Did she die before or after the Greek Land Office opened? A She

died quite a while before.

Q Are you positive that she died before the opening of the Greek

Land Office? A Yes, sir.

Q Is Sarah living? A Yes, sir, and is here with me.

Q How old is she? A I do not know how old she is. (A child, whom

the witness says is Sarah, is present and appears to be at least ten

years of age.)

Q Is Ben living? A I never had a child named Ben.

Q Did you ever have a boy named Maxey? A Yes, sir.

Q Was he ever called Ben? A He may have been called that. He may

have been known as Ben but that is not his name. His proper name is

Maxey.

Q Is Maxey living? A He is dead.

Q How long has he been dead? A He has been dead a long time.

Q How old was he when he died? A Between seven and eight.

Q Did he die before Lena died? A He died after Lena died.

Q Did he die before the opening of the Greek Land Office? A Yes,

sir.

Q How long before? A A good while.

Q Have you any other children besides Lena, Sarah and Maxey? A No,

sir.

Q When you said that you were the mother of Lena, Sarah and Ben

Slumker, you were mistaken as to Ben were you not? A Yes, sir, I

have no boy named Ben. Ben was meant for Maxey I think.

I, D. C. Sparks, on oath state that the above and foregoing

is a full and true transcript of my stenographic notes as taken in

said cause on said date.

Subscribed and sworn to before me this 17 day of November, 1904.

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 9, 1904.

In the matter of the application for the allotment of lands,
Sarah and Ben Slumker as citizens by blood of the Creek Nation.

Marsey Harjo, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Marsey Harjo.
Q How old are you? A About twenty-eight.
Q What is your post office address? A Dartin.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Weoguke.
Q Do you know Lena, Sarah and Ben Slumker? A Yes, sir, I know
Lena and Sarah but I do not know Ben.
Q What is the name of their mother? A Slumker.
Q What is the name of their father? A Hoploche.
Q To what town do they belong? A Hoploche belongs to Puckon Tula-
hasee Town.
Q To what town did Slumker belong? A Weoguke.
Q Is Lena living? A She is dead.
Q How long has she been dead? A She died a good while ago--in the
winter time.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q How long before the opening of the Creek Land Office did Lena
die? A She died quite a while before the opening of the land office
Q Are you positive that she was not living when the land office
opened? A Yes, sir.
Q Is Sarah living? A Yes, sir.
Q Was she ever known by any other name? A She is sometimes known
as Sallie.
Q How old is she? A Probably about ten years old.
Q Do you know whether or not land has been selected for Sarah? A
I do not know. She may have been allotted land by the Commission.

-----ccccc-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 17 day of November, 1904.

Notary Public.

Subscribed and sworn to before me this 11 day of Nov, 1904.

John M. Sawyer
Notary Public.

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Q About how old was Lena when she died? A About fifteen or sixteen years old.

Q How old was Maxey when he died? A I have never kept any record of the births and deaths of my children like the white man does and cannot be exact.

Q We are not particular about you being exact, but we want to know about how old they were? A I think Ben was about eight years old.

Q Have you and your wife filed on land? A I am a full-blood Indian and have never at any time desired to select land for myself but I understand the Commission selected allotments for my wife and myself. The allotments I understand and again each other.

Q Can you get her up here so that we can ask her some questions about this matter? A They had arranged to go at 12 o'clock and they have probably gone. (It is now a few minutes after the noon hour)

Q How old is Salie? A About twelve.

Q Does she live with you? A Yes, sir.

Q How long has Ben been dead when Lena died? A Lena died the following Spring after Ben, in March.

Q Had any one in your neighborhood filed on their land when Ben died? A It was well known in our neighborhood that people were filing on land in the eastern part of the Creek Nation but people in my neighborhood were backward about filing.

Q Is Slimmer here? A Yes, sir.

Q What is your name? A Hoploche.

Q How old are you? A I am about sixty.

Q What is your post office address? A Dugan.

Q Are you a citizen of the Creek Nation? A Yes, sir.

Q Did you know Lena, Sarah and Ben? A Yes, sir.

Q What is the name of their mother? A Slimmer.

Q What is the name of their father? A Myself.

Q To what town do they belong? A We belong to Weotuk.

Q Is Lena living? A She is dead.

Q How long has she been dead? A She has been dead about four years.

Q Is Sarah living? A She is living.

Q Was she ever called by any other name? A Salie.

Q Has Lena been allotted to Sarah or Salie? A I do not know. I have never looked after the matter.

Q How long has Salie been living? A About twelve.

Q Does she live with you? A Yes, sir.

Q Is Ben living or dead? A Dead. His proper name was Maxey.

Q Which died first Ben or Lena? A Ben died first.

Q How long has Ben been dead when Lena died? A Lena died the following Spring after Ben, in March.

Q Had any one in your neighborhood filed on their land when Ben died? A It was well known in our neighborhood that people were filing on land in the eastern part of the Creek Nation but people in my neighborhood were backward about filing.

Q Is Slimmer here? A Yes, sir.

Q Can you get her up here so that we can ask her some questions about this matter? A They had arranged to go at 12 o'clock and they have probably gone. (It is now a few minutes after the noon hour)

Q How old is Salie? A About twelve.

Q Does she live with you? A Yes, sir.

Q How long has Ben been dead when Lena died? A Lena died the following Spring after Ben, in March.

Q Had any one in your neighborhood filed on their land when Ben died? A It was well known in our neighborhood that people were filing on land in the eastern part of the Creek Nation but people in my neighborhood were backward about filing.

Q Is Slimmer here? A Yes, sir.

Q What is your name? A Hoploche.

Q How old are you? A I am about sixty.

Q What is your post office address? A Dugan.

Q Are you a citizen of the Creek Nation? A Yes, sir.

Q Did you know Lena, Sarah and Ben? A Yes, sir.

Q What is the name of their mother? A Slimmer.

Q What is the name of their father? A Myself.

Q To what town do they belong? A We belong to Weotuk.

Q Is Lena living? A She is dead.

Q How long has she been dead? A She has been dead about four years.

Through Alex Posey Official Interpreter:

HOPLOCHE, being duly sworn, testified as follows:

Sarah, and Ben ~~Slimmer~~ as citizens by blood of the Creek Nation. In the matter of the application for the enrollment of Lena,

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR,
Oklahoma, I. T., October 28, 1904.

CR EN 835

CR EN 835

POST-OFFICE: *Griffiths A.T.*
RESIDENCE:

Roll No.

NAME

Registration
to Person
First

AGE SEX BLOOD

Year

TRIBAL ENROLLMENT

No.

Name of Father

Year

Name of Mother

Year

TRIBAL ENROLLMENT OF PARENTS

Nation.

Roll.

CARD NO.

FIELD NO.

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

Griffiths

1/1/11. 644 card #875-18 Griffiths

W.D. Griffiths (father) Griffiths (mother)

Griffiths

REPLY TO THE FOLLOWING

Sn. 831.

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS:
TAMM BIRBY,
THOMAS B. NEEDLES,
C. R. BRIDGEMAN,
WM. O. BRALL,
Secretary.

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

Muskogee, Indian Territory, June 3, 1905.

Jim Cohn,

Dustin, Indian Territory.

Dear Sir:

You are hereby advised that the name of Joe Cohn is contained in the partial list of citizens by blood of the Creek Nation, approved by the Secretary of the Interior May 23, 1905, and that application for a selection of land in the Creek Nation may now be made for said Joe Cohn at the office of the Commission in Muskogee, Indian Territory.

Respectfully,

Commissioner in Charge.

OT AN 831

Unkagoos, Indian Territory, March 21, 1905.

M. L. Dett,

Attorney for the Creek Nation.

Unkagoos, Indian Territory.

Sir:

There is enclosed herewith a copy of the decision of the
Commission to the Five Civilized Tribes in the matter of the ap-
plication for the enrollment of Joe Gohn as a citizen by blood of
the Creek Nation.

You are hereby notified that the Creek Nation will be al-
lowed fifteen days from date hereof within which to file protest
against said decision, and if, at the expiration of that time, no
such protest has been made, said Joe Gohn will be regularly listed
for enrollment as a citizen by blood of the Creek Nation.
Respectfully,

Chairman.

LYN-21-15.

223

No. 831

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Joe Cohn as a citizen by blood of the Creek Nation.

D E C I S I O N .

The records of the Commission show that Joe Cohn was listed for enrollment as a citizen by blood of the Creek Nation April 22, 1901, on Creek Indian Card, Field No. 3487. Further proceedings were had before the Commission at Okmulgee, Indian Territory, October 12, 1904. The evidence shows that said Joe Cohn is identified on the 1898 Pay Roll of the Creek Nation at No. 298, and that he was living subsequent to April 1, 1898. It is, therefore, the opinion of the Commission that said Joe Cohn should be enrolled as a citizen by blood of the Creek Nation, in accordance with the provisions of the acts of Congress, June 28, 1898 (30 Stat., 492) and March 1, 1901 (31 Stat., 861), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

CHAMAN

COMMISSIONER

COMMISSIONER

MUSKOGEE, INDIAN TERRITORY

MAR 12 1905

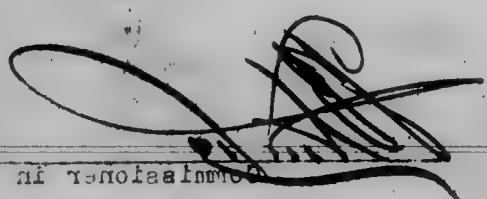
3. 6. 23
En. 831

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Joe Cohn
as a citizen by blood of the Creek Nation.

SUPPLEMENTAL STATEMENT

The 1895 Pay Roll of the Creek Nation examined and the name of
Joe Cohn found thereon at No. 298, Coweta Town.



November 26, 1904.
Muskegee, Indian Territory,
Commissioner in Charge

I, D. C. Skaggs, on oath state that the above and foregoing is a true and complete transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 10th day of January 1904.
[Signature]
Notary Public

-----0:-----

Q dead. I don't know as to the father.
Q His father and mother are both dead are they? A The mother is
Q Was his mother a full-blood Greek? A Yes, sir.
Q Was his father a United States citizen? A Yes, sir.
Q What was the name of his mother? A Oklasey.
Q What was the name of his father? A Rhod Gonn.
Q Do you know whether he is living now or dead? A I don't know.
Q Have you seen him since the Greek Land Office opened? A No, sir.
Q Do you know a boy named Joe Gonn? A I saw him when he was a boy.
Q What is your post office address? A Iannah.
Q How old are you? A Between 45 and 50.
Q What is your name? A Limbo Carr.
By Commission:

LIMBO CARR, being duly sworn, testified as follows:

His father died since then.
Q before the Commission and tried to file for this boy and the Commission wouldn't let him file for his father was living at that time.
Q Yes, sir. When the Greek Land Office was opened his uncle appeared
Q You know the boy was living when the Greek Land Office opened? A
Q I don't think so.
Q Was this boy ever called by any other name that you ever heard of?
Q What is Jim Gonn's post office? A I think it is Dustin.
Q Who is he living with? A Jim Gonn.
Q Yes, sir.
Q You know he was living when the Greek Land Office opened do you?
Yes, sir.

Q Have you seen Joe Gonn since the Greek Land Office opened? A
Q What was the name of his mother? A Oklasey.
Q Is his father dead? A Dead.
Q What is the name of his father? A Rhod Gonn.
Q Do you know whether he is living or not? A I think he is.
Q About how old is he? A Must be about ten or twelve years old.
Q Do you know a boy named Joe Gonn? A Yes, sir.
Q What is your post office address? A Iannah.
Q How old are you? A Thirty-five.
Q What is your name? A Waitie Morrison.
By Commission:

WAITIE MORRISON, being duly sworn, testified as follows:

enrollment of Joe Gonn as a citizen by blood of the Creek Nation.
SUPPLEMENTAL TESTIMONY in the matter of the application for the

OKMAGEE, I. T., October 12, 1904.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

CR EN 831

CR EN 831

RESIDENCE:
POST OFFICE:

Indian Creek

Indian Creek Nation.

CARD NO. *5827*
FIELD NO.

Dawes Roll No.
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

NAME
Chapko, M. with w

Relation to Person first Named

AGE

SEX

BLOOD

Year

TRIBAL ENROLLMENT
District
Indian Creek

No.
198

Name of Father
John H. Hays

Year

TRIBAL ENROLLMENT OF PARENTS
District
Indian Creek

Name of Mother

Year

District
Indian Creek

John H. Hays

May 23, 1901

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Yeager, I. T., December 12, 1904.

In the matter of the application for the enrollment of Martha Gnupco, deceased, as a citizen by blood of the Creek Nation.

ANOCHE, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Anoché.
Q How old are you? A About fifty.
Q What is your post office address? A Yeager.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Tuckabatchee.
Q Did you know Martha Gnupco? A She was my daughter.
Q How long has she been dead? A She has been dead a little over three years.
Q How old was she at the time of her death? A She was a grown woman and had children--this is her boy. (indicating a boy about fourteen years of age)
Q What is the name of that boy? A Jim Noon.
Q Has land been selected for that boy? A Yes, sir, I think land has been selected for him under the name of Jimmie Noon, the selection having been made for him by his father.
Q Was Martha Gnupco married at the time of her death? A Yes, sir.
Q Who was her husband? A Palmer Noon.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Did she die before or after the opening of the Creek Land Office? A After.
Q How long after? A Over a year--perhaps two years after.
Q Do you know whether or not land had been selected for her at the time of her death? A Yes, sir.
Q Under what name was land selected for her? A I think she was enrolled either as Martha, Martha Noon or Martha Long.
Q Are you positive that land has been selected for her? A Yes, sir, a portion of her allotment has been improved.
Q Who has charge of her estate? A There is no one administering upon her estate. Her allotment was leased to a white man by her husband, Palmer Noon, and he still has charge of the place.

-----ccccc-----

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 21 day of December, 1904.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Holdenville, I. T., December 10, 1904.

In the matter of the application for the enrollment of Martha
Chupco, deceased, as a citizen by blood of the Creek Nation.
Kochagah Sipley, being duly sworn, testified as follows
Through Alex Posey Official Interpreter:

BY COMMISSION:
Q What is your name? A Kochagah Sipley.
Q How old are you? A I do not know. (Witness appears to be about
sixty years of age)
Q What is your post office address? A Holdenville.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong? A Tukabatche.
Q Did you know Martha Chupco? A Yes, sir.
Q How long has she been dead? A She has been dead about six years.
Q What fixes it in your mind that Martha died six years ago? A
Because she died before Willie Lagoe was sent to the Penitentiary.
Q When was Willie Lagoe sent to the Penitentiary? A He will have
been in the Penitentiary five years this coming Christmas.
Q How long before Willie Lagoe was sent to the Penitentiary did
Martha die? A I do not know but Willie Lagoe was present at her
burial.
Q What time of the year did Martha die? A I do not remember what
time of the year it was although I was present at her burial.
Q How old was she at the time of her death? A She was a grown woman
and had children. She was married to Palmer Moon.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Did she die before or after the opening of the Creek Land Office?
A According to my best recollection she died before the opening of
the Creek Land Office.

---00000000---

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
case on said date.
Subscribed and sworn to before me this 21 day of December, 1904.
[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Holdenville, I. T., December 10, 1904.

In the matter of the application for the enrollment of Martha Chupco, deceased, as a citizen by blood of the Creek Nation.
TOGEE BARNETT, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

BY COMMISSION:
Q What is your name? A Togee Barnett.
Q How old are you? A I do not know but I was a small girl before the Civil War.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Tuckabatche.
Q Did you know Martha Chupco? A I was well acquainted with her.
Q How long has she been dead? She will have been dead five years next July.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Did Martha die before or after the opening of the Creek Land Office? A She died after the opening of the Creek Land Office.
Q How long after the opening of the land office? A I do not know how long it was but I am positive that she died after the land office opened.
Q What time of the year did she die? A She died in the summer-time.
Q Why do you think she died after the land office opened? A Because her husband Palmer Noon was killed about three years after she died.
Q When was Palmer Noon killed? A The summer before last.
Q Do you remember in what month? A I do not remember the month but the Indians had begun to have Stomp Dances at the time he was killed. (Stomp Dances are generally held in July and August.)
Q How long has it been since Palmer Noon was killed? A It has been two years.
Q What relation was Martha Chupco to you? A No relation.

-----00000000-----

I, D. C. Sparks, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 21 day of December, 1904.

Notary Public.

824

C. 2827.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., October 21, 1904.

In the matter of the application for the enrollment of Martha
Gnupco as a citizen by blood of the Creek Nation.

HENRY LONG, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A Henry Long.
Q What is your age? A Forty-five.
Q What is your post office address? A Yeager.
Q Do you know Martha Gnupco? A Yes, sir.
Q Is she living or dead? A Dead.
Q How long has she been dead? A I do not know how long she has
been dead but suppose she died after the land office opened. She
lived about eight miles from my place and she took sick within two
miles of my place, where she died and I helped bury her. I cannot
state how long it has been since she died.
Q Has she got any living children? A She has one.
Q What is its name? A Fisher.
Q Is that all the name he has? A He is the son of Palmer Noon.
Q Is Fisher a grown man? A He is a boy.
Q Is his father living? A Dead.
Q Who does Fisher live with? A His grandmother.
Q What is her name? A Arnoche.
Q What is her post office address? A Yeager.
Q Is she here? A No, sir, she is at home.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

[Signature]

Subscribed and sworn to before me this 11 day of Nov. 1904.

[Signature]
Notary Public

CR EN 830

CR EN 830

POST OFFICE

Chlorophyll

Nation.

Roll.

ORD No.

FIELD NO.

[illegible]

CR 22 829

Manokago, Indian Territory, February 21, 1903.

M. L. Mott,

Attorney for the Creek Nation,
Manokago, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the
Commission to the Five Civilized Tribes in the matter of the ap-

plication for the enrollment of Joseph Gasey (deceased) as a

citizen by blood of the Creek Nation.

You are hereby notified that the Creek Nation will be al-
lowed fifteen days from the date hereof within which to protest
against said decision, and if, at the expiration of that time,
no such protest has been made, said Joseph Gasey (deceased) will
be regularly listed for enrollment as a citizen by blood of the
Creek Nation.

Respectfully,

Chairman.

YTM-21-10.

828
D. H.

No. 828

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Joseph Casey, deceased, as a citizen by blood of the Creek Nation.

D E C I S I O N

The records of the Commission show that Joseph Casey, deceased, was listed for enrollment as a citizen by blood of the Creek Nation May 22, 1901, on Creek Indian Card Field No. 2719. Further proceedings were had October 28, October 31, November 7, November 10 and November 25, 1904. The evidence shows that said Joseph Casey, deceased, is identified on the 1890 Authenticated Tribal Roll and the 1895 Pay Roll of the Creek Nation, and that he was a resident of the Creek Nation all his life. The evidence further shows that said Joseph Casey, deceased, died subsequent to April 1, 1899. It is, therefore, the opinion of the Commission that said Joseph Casey, deceased, should be enrolled as a citizen by blood of the Creek Nation in accordance with the provisions of the acts of Congress, June 28, 1898 (30 Stat., 492) and March 1, 1901 (31 Stat., 861), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

CHAIRMAN

COMMISSIONER

COMMISSIONER

MISSOURI, INDIAN TERRITORY

FEB 21 1902

Wm. 323

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Joseph Casey, deceased, as a citizen by blood of the Creek Nation.

SUPPLEMENTAL STATEMENT.

1890 Authenticated Tribal Roll of the Creek Nation examined and Joseph Casey identified thereon at page 218, Waskage Town. 1895 Pay Roll of the Creek Nation examined and Joseph Casey identified thereon at No. 135, Waskage Town. The records of the Commission show that a citizen's certificate was issued to Emathia Yehola September 30, 1901.

Commissioner in Charge.

Muskogee, Indian Territory.

November 25, 1904.


2-21
No. 829

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Joseph Gasey, deceased, as a citizen by blood of the Creek Nation.

SUPPLEMENTAL STATEMENT.

1890 Authenticated Tribal Roll of the Creek Nation examined and Joseph Gasey identified thereon at page 218, Waukegetown. 1895 Pay Roll of the Creek Nation examined and Joseph Gasey identified thereon at No. 135, Waukegetown. The records of the Commission show that a citizenship certificate was issued to Martha Yabola September 30, 1901.


Commissioner in Charge.

Muskogee, Indian Territory,

November 25, 1904.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 10, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Joseph Casey as a citizen by blood of the Creek Nation.

EMARTHA YAHOLA, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Emartia Yahola.
Q What is your age? A About sixty.
Q What is your post office? A Carson.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Pukkon Tullahasse.
Q Did you know Joseph Casey? A Yes, sir.
Q To what town did he belong? A Weoguke.
Q Is he living or dead? A Dead.
Q How long has he been dead? A I do not know.
Q Did he die before or after the opening of the Creek Land Office?
A He died after the land office was opened.
Q Are you positive that he died after the land office opened? A
Yes, sir.
Q How long after? A I cannot say.
Q Had you filed upon your allotment at the time he died? A He died
sometime after I had filed upon my allotment. I remember quite dis-
tinctly when I went to Muskogee to select allotments for myself and
family and that at that time he was living.
Q Did he have any other names? A Joseph Casey is the only name by
which I knew him.
Q Do you know whether or not he filed upon his allotment before he
died? A I do not think he did.
Q Did he have a family? A The only relative he had was a sister.
Q What is her name? A Sallie.
Q Is she living? A Yes, sir.

The Sallie referred to appears to be listed on card 2474.

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I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 17 day of November, 1904.

Notary Public.

Mr. 859

C. 2719.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 7, 1904.

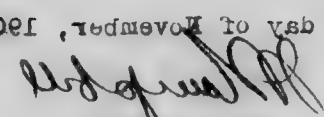
In the matter of the application for the enrollment of Joseph Casey, deceased, as a citizen by blood of the Creek Nation.
WASH PROCTOR, being duly sworn, testified as follows:
Partly through Alex Posey Official Interpreter:

BY COMMISSION:
Q What is your name? A Wash Proctor.
Q How old are you? A Thirty-six.
Q What is your post office address? A Francis.
Q Are you a citizen by blood of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Weetuk.
Q Did you know Joseph Casey? A Yes, sir.
Q Was he a full-blood Creek Indian? A Yes, sir.
Q Is he living or dead? A Dead.
Q Do you know when he died? A I do not know the exact date of his death but I am quite certain he has been dead about four years.
Q Do you know what town he belonged to? A Weetuk.
Q Do you remember the circumstance of the opening of the Creek Land office? A Yes, sir.
Q Was he living at the time the Creek Land Office was opened? A Yes, sir.
Q Are you positive? A Yes, sir.
Q Had you filed on your land when he died? A Yes, sir.
Q Did he have any relatives? A I do not know.
Q How long after the opening of the Creek Land Office did he die? A I think he died about a year after the opening of the Creek Land Office.
Q You are positive of that are you? A Yes, sir.

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I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.



Subscribed and sworn to before me this 15 day of November, 1904.

Notary Public.

C 2713.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., October 31, 1904.

In the matter of the application for the enrollment of Joseph Casey as a citizen by blood of the Creek Nation.

JOE SMITH, being duly sworn, testified as follows:

Partly through Alex Posey Official Interpreter:

By Commission:

Q What is your name? A Joe Smith.
Q How old are you? A About thirty-one.
Q What is your post office? A Dustin.
Q To what town do you belong? A Tulsa, Oklahoma.
Q Are you Town King of that town? A Yes, sir.
Q Do you know Joseph Casey? A Yes, sir.
Q What town does he belong to? A Weebuck.
Q Is he living or dead? A Been dead a good while but I think he died since the land office opened and that land has been allotted to him.
Q Was he ever known by any other name? A No, sir.
Q Was he kin to Peggie Solomon? A I am not positive but I think she is the mother of Joseph Casey.
Q About how old was he when he died? A Between twenty-five and twenty-seven years old.
Q Was he a full-blood Creek Indian? A He looked somewhat like a half-breed. I don't think he was a full-blood.
Q Did he live in the Creek Nation all his life? A Yes, sir.
Q You say you think he was living when the Creek Land Office opened? A The Creek Field Party of the Dawes Commission reserved forty acres for Joseph Casey, as his homestead, including his improvements where he lived. That was the time I was interpreting for the Field Party.
Q Who was in charge of that party? A Joe Gibson.
Q How long had Joseph Casey been dead when that party was out? A I am of the opinion he died since the land office opened. I do not know how long he had been dead when the Field Party made the reservation.

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I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said case on said date.

Subscribed and sworn to before me this 5th day of November, 1904.

Charles F. Skaggs
Notary Public.

C. 2712.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Okmulgee, I. T., October 28, 1904.

In the matter of the application for the enrollment of Joseph Casey as a citizen by blood of the Creek Nation.

JIM BIRD, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A Jim Bird.
Q How old are you? A Fifty-six.
Q What is your post office address? A Hannah.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q Did you know Joseph Casey? A Yes, sir.
Q Was he a full-blood Creek Indian? A Yes, sir.
Q Is he living or dead? A Dead.
Q Do you know when he died? A I do not know the year but he died in August. We were at a fish killing and he was present and took part in it and on the way home he took sick and died.
Q To what town did he belong? A Weaverville.
Q How long has it been since he died? A About four years ago I think.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Was Joseph Casey living when the Creek Land Office opened or was he dead? A I am quite certain that it was after the land office opened for he has not been dead very long.
Q Had you filed on your land when he died? A It was before I selected my land. I was arbitrarily filed.
Q Did he have a family? A He had a half sister.
Q What is her name? A Sallie is the only name I know her by.

The Sallie referred to appears to be listed for enrollment on card 2474.

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I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

D. C. Skaggs

Subscribed and sworn to before me this 11 day of Nov. 1904.

Charles J. Danner
Notary Public.

CR EN 85d

CR EN 85d

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Walla, I. T., November 29, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Soakie et al., as citizens by blood of the Creek Nation.

TARLEY, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Tarley.
Q How old are you? A I do not know my age. (Witness appears to
be eighteen or nineteen years of age.)
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Fish Pond.
Q Did you know Soakie? A Yes, sir.
Q Was she your mother? A Yes, sir.
Q Is she living? A She is dead.
Q How long has she been dead? A I think she has been dead about
four months.
Q In what year did she die? A She died this year about four months
ago.
Q Have you any brothers and sisters living? A Myself and Jennie.
Jennie has a son named Thompson and I am living with Thompson and his
wife. Thompson is absent from home at present, having been called
away to look after some matters over at Hucheshuppa.
Q How old is Jennie? A She is the oldest child in the family--
I do not know her age.
Q Where is she living? A She is living right near Hanna.
Q Is she married? A She is married to Dickey Tarley.
Q Did your mother Soakie ever have any other names? A She had no
name other than Soakie.
Q Do you know whether or not land had been selected for her when she
died? A I think not. She made no application herself for allotment
and did not know whether land had been selected for her or not.
Q Do you know whether or not land has been selected for yourself and
sister, Jennie, and her son, Thompson? A None of us know whether
land has been selected for us or not. We have made no application
for allotment.
Q Are you married? A No, sir.

Reference is here made to Creek Card No. 3370, upon which
the following notation appears: "Mother enrolled as Soakie on
3889, post office Thurman. Sister, Lilley and Thompson Stephens
also on 3889, and 1890 Roll Page 175. All full bloods. Soakie
Sister and Lilley--allotments."

Q Has Jennie any other children besides Thompson? A She has two
children dead, a boy and a girl. I do not remember the name of
either of them--they have been dead a long time.

-----0:-----

I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 8 day of November, 1904.

[Signature]
Notary Public

C. 3830-3831.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 11, 1904.

In the matter of the application for the enrollment of Soakie
et al., as citizens by blood of the Creek Nation.

TOBE HILL, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Tope Hill.
Q How old are you? A Sixty-two.
Q What is your post office? A Wetumka.
Q Are you a citizen of the Creek Nation? A Yes, sir. I am Town
King of Fish Pond Town.
Q Do you know Soakie and her children, Thompson and Larkie? A Yes,
sir, she also has a daughter named Jennie.
Q Charles Simmer gave testimony in this case at Okmulgee and he
stated that Thompson was the son of Jennie? A He is mistaken,
Jennie is a brother of Thompson.
Q Is Soakie living? A She is dead.
Q When did she die? A I was informed by the town King of Okmulgee
Town the last session of the Creek Council that she had died recently.
Q Where was she living at the time of her death? A In Okmulgee Town
on the Canadian River. (near Hannah).
Q Did she ever have any other names? A I never knew her by any
other name.
Q Do you know whether or not she selected land for herself? A I
do not know.
Q To what town did she belong? A Fishpond.
Q Is Thompson living? A I think so.
Q Where does he live? A He lived with his mother.
Q About how old is Thompson? A Probably about eighteen years old.
Q Is Larkie living? A I do not know but think she is.
Q What is her age? A I do not know.
Q Is Jennie living? A Jennie is a woman and has a husband and is
living.
Q Do you know her husband? A I do not know who he is.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 18 day of November, 1904.

Notary Public.

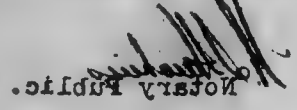
Q Did either of her two daughters have any children? A Jennie had
a boy.
Q What was that boy's name? A I do not know.
Q Were all of these people together when you saw them last winter?
A I only saw Soakre.
Q Is Jennie living? A Yes, sir.
Q Is Larley living? A Yes, sir.
Q Is Thompson living? A Yes, sir.
Q How do you know that they are living? A Because they lived in my
neighborhood at one time and have visited there frequently since
moving away and I am positive that they are living.
Q Is there any one present who could give the Commission information
about these people? A Tope Hill is to be in attendance at this
Payment and would be a good witness.

-----000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.



Subscribed and sworn to before me this 15 day of November, 1904.



Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE RIVER CIVILIZED TRIBES.
Wesley, I. T., November 7, 1904.

In the matter of the application for the enrollment of Soakke et al., as citizens by blood of the Creek Nation.
AHALOK HARJO, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Ahalok Harjo.
Q How old are you? A I am about sixty.
Q What is your post office address? A Bearden.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong to? A Fish Pond.
Q Do you know Soakke and her children, Thompson and Larley? A Yes, sir, but Thompson is the son of Soakke's daughter, Jennie, who is living.
Q Is Soakke living? A She is dead.
Q How long has she been dead? A I think she died about two months ago.

Q Is Thompson living? A Yes, sir.
Q How old is he? A He is a young man.
Q Is Larley living? A Yes, sir.
Q How old is she? A Nearly a grown woman I think.
Q How old is Jennie, A She is a grown woman.
Q How old was Soakke? A She was older than I am and I am about sixty.
Q Did Soakke have any other names? A I think not.
Q Did Thompson have any other names? A No, sir.
Q Did Larley have any other names? A No, sir.
Q Was Larley ever married? A I do not know but she is old enough to marry and probably is married.
Q Was Jennie ever married? A I think so but I do not know to whom.
Q Did Jennie ever have any other names? A Not that I know of.
Q Where do these people live? A They live near the Weogucke Church on the Canadian River.
Q Have they always lived in the Creek Nation? A Yes, sir.
Q Do you know why it is that they have not gone before the Commission to see about being enrolled and getting land? A I do not know.
Q Are you well acquainted with these people and do you see them often? A I am well acquainted with them and see them quite often.
Q Are you sure that all of these people are living except Soakke? A Yes, sir.

WATKA HARJO, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Watka Harjo.
Q How old are you? A I am about sixty.
Q What is your post office? A Bearden.
Q Did you know Soakke? A I saw her occasionally but was not well acquainted with her.
Q Is she dead? A Yes, sir, that is what I learned.
Q Do you know when she died? A I do not know exactly when she died but I think she has been dead about two months.
Q When did you see her last? A I saw her last winter.
Q Did she have any children? A Yes, sir, she had two daughters named Jennie and Larley.

Q How old are you? A Forty-six.
Q What is your post office address? A Boardman.
Q What town do you belong to? A Quakerie No. 2.
Q Are you the Town King? A Yes, sir.
Q Did you know Soakie? A Knew her very well.
Q She is dead is she? A I have learned since coming to Quakerie
that she is dead.
Q How long has it been since you saw her? A I have not seen her in
six years. She moved out of my neighborhood.
Q Do you know her children, Jennie and Lillie, and Jennie's child,
Thompson? A Yes, sir.
Q How long has it been since you saw any of them? A About six
years ago. I know them all very well.
Q Do you know whether any of them are living or not? A They are all
living but Soakie.
Q How do you know that they are living? A I know by report. I was
informed that the other day by the Town King of Quakerie Town.

CHARLIE SIMON, being recalled, testified as follows:

By Commission:
Q Who is the Town King of Quakerie Town? A Wiley Buckner.
Q Is there any one in town who could give me any information about
these people--any one that has seen them lately? A I do not know.

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I, D. C. Stagg, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

D. C. Stagg

Subscribed and sworn to before me this 11th day of Nov 1904.

Charles H. Stagg
Notary Public.

Q. 2830.
2831.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE CIVILIZED TRIBES.
Oklahoma, I. T., October 26, 1904.

In the matter of the application for the enrollment of Soakie
et al., as citizens by blood of the Creek Nation.

Charlie Stimmer, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A Charlie Stimmer.
Q How old are you? A About thirty.
Q What is your post office address? A Okemah.
Q Are you a member of the House of Warriors for Ringwood Town? A
Yes, sir.
Q Do you know Soakie and her children, Thompson and Lattie? A
Yes, sir, but Thompson is the son of Soakie's daughter.
Q What is the name of Thompson's mother? A Jennie. She is living.
Q Is Soakie living? A She is dead.
Q How long has she been dead? A She died October 2, 1904.
Q She died this month did she? A Yes, sir.
Q Is Jennie living? A Yes, sir.
Q Is Thompson living? A Yes, sir.
Q Is Lattie living? A Yes, sir.
Q Whose child is Lattie? A A child of Soakie.
Q About how old is Jennie? A She was a good sized girl at the time
of the Spinehoe War.
Q How old was Soakie at the time she died? A She was quite an old
woman--sixty or sixty-five.
Q About how old is Thompson? A Probably about twenty-two. He was
born at the close of the Spinehoe War.
Q Has he any other name? A It is quite likely he has an Indian
name but Thompson is the only name I know.
Q Is Lattie called by any other name? A That is the only name she
has.
Q About how old is Lattie? A She is probably seventeen years old.
Q Was she ever married? A No, sir.
Q Was Jennie ever married? A She was married at the time Thompson
was born.
Q What name does she go by now? A That is all the name she has had.
Q Who was the father of Thompson? A Stegney.
Q What is the post office address of these people? A They live in
the neighborhood of Hannon.
Q Are they full-blood Creek Indians? A Yes, sir.
Q Have they lived in the Creek Nation all their lives? A Yes, sir.
Q Do you know why it is that they have not come up to see about be-
ing enrolled and getting land? A I am not able to answer that question.
Q Do you see them occasionally? A I know them quite well when they
lived in my neighborhood but they moved away about six years ago and
I have not seen them since.

Stimmer, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A Stimmer.

CR EN 858

Winding 6-10-11

CR EN 858

| Dawes' Roll No. | NAME | Relation-ship to Person Named | AGE | SEX | BLOOD | TRIBAL ENROLLMENT | | | TRIBAL ENROLLMENT OF PARENTS | | |
|-----------------|------------|-------------------------------|-----|-----|-------|-------------------|-----------|-----|------------------------------|-----------|----------------|
| | | | | | | Year | District | No. | Year | District | Name of Mother |
| | "Virginia" | | 20 | F | Full | 1895 | Chickasaw | 70 | | Chickasaw | Mary |
| | "Johnnie" | | 10 | M | " | " | " | 71 | " | " | " |
| 3 | "Johnnie" | | 8 | F | " | " | " | 72 | " | " | " |
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This is a copy of the original roll of the Chickasaw Indians as it appears in the Dawes' Roll. The names are written in the original handwriting and are not corrected. The names are written in the original handwriting and are not corrected.

Mary 3032

CARD NO. 3530
FIELD NO. 3530

Roll.

Nation.

POST-OFFICE: *St. Bernard, Ind. 46784*
RESIDENCE:

| Roll No. | NAME | Relation to Person Named | AGE | SEX | BLOOD | Year | No. | Name of Father | Year | Name of Mother | Year |
|----------|--------------|--------------------------|-----------|----------|-------|-------------|------------|----------------------|-------------|----------------|-------------|
| 1 | <i>Booke</i> | | <i>2</i> | <i>M</i> | | <i>1890</i> | <i>100</i> | <i>John A. Booke</i> | <i>1890</i> | <i>Booke</i> | <i>1890</i> |
| 2 | <i>Booke</i> | | <i>14</i> | <i>M</i> | | <i>"</i> | <i>100</i> | <i>"</i> | <i>"</i> | <i>"</i> | <i>"</i> |
| 3 | <i>Booke</i> | | <i>12</i> | <i>M</i> | | <i>"</i> | <i>100</i> | <i>"</i> | <i>"</i> | <i>"</i> | <i>"</i> |
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St. Bernard

John A. Booke 1890
Booke 1890
Booke 1890

POST OFFICE

Roll.

FIELD NO. 5050

[illegible]

RESIDENCE:

POST-OFFICE: *McKean, Alaska*

Nation.

Roll.

CARD NO.

FIELD NO. *3531*

| Roll No. | NAME | Relation to Person Named | AGE | SEX | BLOOD | TRIBAL ENROLLMENT | TRIBAL ENROLLMENT OF PARENTS |
|----------|--------------|--------------------------|-----|-----|-------|-------------------|---|
| | | | | | | No. Year | Name of Father Year Name of Mother Year |
| 1 | <i>James</i> | | | | | <i>1890</i> | <i>1890</i> |
| 2 | | | | | | | |
| 3 | | | | | | | |
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Stinson

1891 on 1890 roll of James
" " 1892 " " 26

1891 on 1890 roll of James

1891 on 1890 roll of James

Ex. 828.-----S.

I, D. G. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 2 day of February, 1902.

Carroll
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Dustin, I. T., January 20, 1905.

SUPPLEMENTAL TESTIMONY in the matter of the application for the enrollment of Soakte, et al., as citizens by blood of the Creek Nation.

WILEY BUCKNER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Wiley Buckner.
Q How old are you? A Forty-six.
Q What is your post office address? A Hanna.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Okchive. I am Town King of my town.
Q Do you know Soakte, Jennie, Larley and Thompson? A Yes, sir.
Q Is Soakte living? A She is dead.
Q When did she die? A She died on either the third or the fourth of October, 1904. I think it was on Sunday because I was getting ready to go to Okmulgee to attend Council and Council convened on Tuesday.
Q How old was she when she died? A I would judge that she was about fifty-five years old.
Q Is Jennie living? A Yes, sir.
Q How old is she? A I do not know how old she is but she has a son who is about twenty years old.
Q What is his name? A He is known both as Thompson Fields and Thompson Stepmey.
Q Has Jennie any other names? A I do not know as to that.
Q Is Larley living? A Yes, sir.
Q How old is she? A She is about as old as Thompson.
Q To what town do these people belong? A Fishpond.
Q Do you know whether or not they were ever enrolled as members of your town? A No, sir.
Q It appears from the records of the Commission that Soakte, Jennie, Larley and Thompson Stepmey are enrolled as members of Okchive Town? A I have always thought they were enrolled as members of Fishpond Town.
Q Have you any persons of the same names who are members of your town? A No, sir.
Q What relation if any, was Soakte to you? A She was the daughter of my mother's sister. For that reason the former town officers of Okchive may have enrolled her as a member of Okchive Town. I think Soakte is meant for Jennie.

Reference is here made to Creek Indian Card Field No.

3082

Q Do you know whether or not land has been selected for these people? A No, sir, but I think they were arbitrarily filed by the Commission.
Q Did Soakte ever have any other children? A I only know the two, Jennie and Larley. Soakte lived in the Cherokee Nation a long time and may have had children over there, and if she did they died long before the land office opened.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Eufaula, I. T., December 1, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Kizsie, Bunny and Louina as citizens by blood of the
Creek Nation.

NANCY SCOTT, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Nancy Scott.
Q How old are you? A I am about forty.
Q Are you known by any other name? A I am sometimes called Nancy
Larney and Nancy Mitchell.
Q What is your post office address? A Eufaula.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Kizsie.
Q Are you the mother of Kizsie Bunny and Louina? A Yes, sir.
Q How old is Kizsie? A She is a grown woman and is married. She
lives at Okfuskee.
Q To whom is she married? A Louis Deere.
Q How old is Bunny? A He is about fifteen years old and is living
with me.
Q How old is Louina? A She is about twelve years old, she is also
living with me. (Louina is present and appears to be at least 12)
Q Have you any other children? A I have another child named
Siasie, she is living with John Arnessee, at Hickory Ground.
Q How old is Siasie? A She is about ten years old.
Q Has Siasie any other name? A I do not know whether John Arnessee
and his wife have given the child any other name or not. The child
was quite young when they took her and its name at that time was
Siasie.
Q Do you know whether or not land has been selected for that child?
A I understand that land has been selected for her by John Arnessee.
Q Who is the father of these children? A Ben Mitchell is the
father of Bunny, Louina and Siasie and Jim Benson is the father of
Kizsie.
Q Do you know whether or not land has been selected for Bunny,
Louina and Kizsie? A I do not know.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 6 day of December, 1904.

D. C. Skaggs
Notary Public.

Notary Public.
Subscribed and sworn to before me this 5 day of December, 1904.
a full and true transcript of my stenographic notes as taken in said
I, D. C. Skaggs, on oath state that the above and foregoing is
cause on said date.

Q Was Siasie living when the land office opened? A Yes, sir, I am
Q Do you remember the circumstance of the opening of the Creek land
Q According to my best judgment I think she is fully seven years old.
Q Are you positive that Siasie is as much as seven years old? A
Q How old is Louina? A She is between fourteen and fifteen years
Q Almost a young man.
Q About how old is Bunney? A I do not know his age but he is
that it can scarcely be called her home.
she sometimes comes to stay for a few days but she is there so seldom
one place then another. She has a little cabin on Mill Creek where
mother, but their mother has no permanent home and stays at first
Q Where are Bunney and Louina living? A They are living with their
Deere.
Q To whom is she married? A Her husband is the brother of Noah
Q Is she married? A Yes, sir.

Q Where is Kizsie living? A She is living in Oknake Town, near
she has I think.
Q Was she ever known by any other names? A Siasie is all the name
she was a baby.
Q How long has the child been living with Chocchoe? A Ever since
do not know.
Q Do you know whether or not land has been selected for her? A I

Q About how old is Siasie? A I think the girl is about seven years
a person named Chocchoe near Senora.
three daughters, Kizsie, Louina and Siasie. Siasie is living with
Q Has she any children? A She has a boy named Bunney and also
Q To what town does she belong? A Hutchinson.

Q Was she ever known as Nancy Larnay or Nancy Mitchell? A Yes,
Q Is she any relation to you? A She is first cousin to me.
Q Do you know Nancy Scott? A Yes, sir.
Q What town do you belong to? A Kizsiee.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What is your post office address? A Mellette.
Q How old are you? A About thirty-seven.
Q What is your name? A Noah Roberts.

BY COMMISSION:

Through Alex Posey Official Interpreter:

NOAH ROBERTS, being duly sworn, testified as follows:

enrollment of Kizsie, Bunnie and Louina as citizens by blood of the
SUPPLEMENTAL TESTIMONY in the matter of the application for the
Greek Nation.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR,
Mellette, I. T., November 29, 1904.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Melfette, I. T., November 29, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Soakie et al., as citizens by blood of the Creek Nation.

LARLEY, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Larley.
Q How old are you? A I do not know my age. (Witness appears to
be eighteen or nineteen years of age)
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q What town do you belong to? A Fish Pond.
Q Did you know Soakie? A Yes, sir.
Q Was she your mother? A Yes, sir.
Q Is she living? A She is dead.
Q How long has she been dead? A I think she has been dead about
four months.
Q In what year did she die? A She died this year about four months
ago.
Q Have you any brothers and sisters living? A Myself and Jennie.
Q Jennie has a son named Thompson and I am living with Thompson and his
wife. Thompson is absent from home at present, having been called
away to look after some matters over at Hutechnupka.
Q How old is Jennie? A She is the oldest child in the family--
I do not know her age.
Q Where is she living? A She is living right near Hanna.
Q Is she married? A She is married to Dickey Larley.
Q Did your mother Soakie ever have any other names? A She had no
name other than Soakie.
Q Do you know whether or not land had been selected for her when she
died? A I think not. She made no application herself for allotment
and did not know whether land had been selected for her or not.
Q Do you know whether or not land has been selected for yourself and
sister, Jennie, and her son, Thompson? A None of us know whether
land has been selected for us or not. We have made no application
for allotment.
Q Are you married? A No, sir.
Reference is here made to Creek Card No. 3370, upon which
the following notation appears: "Mother enrolled as Soakie on
3682, post office Thurman. Sister, Lily and Thompson Stevney
also on 3682, and 1890 Roll Page 175. All full bloods. Soakie
Sister and Lily-T-Allotments."
Q Has Jennie any other children besides Thompson? A She has two
children dead, a boy and a girl. I do not remember the name of
either of them--they have been dead a long time.

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I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 5 day of November, 1904.

[Signature]
Notary Public.

C. 3530-3531.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Weslanka, I. T., November 11, 1904.

In the matter of the application for the enrollment of Soakie
et al., as citizens by blood of the Creek Nation.

TOBE HILL, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Tope Hill.
Q How old are you? A Sixty-two.
Q What is your post office? A Wetumka.
Q Are you a citizen of the Creek Nation? A Yes, sir. I am Town
King of Fish Pond Town.
Q Do you know Soakie and her children, Thompson and Larley? A Yes,
sir, she also has a daughter named Jennie.
Q Charles Simmer gave testimony in this case at Okmulgee and he
stated that Thompson was the son of Jennie? A He is mistaken,
Jennie is a brother of Thompson.
Q Is Soakie living? A She is dead.
Q When did she die? A I was informed by the town King of Okmulgee
Town the last session of the Creek Council that she had died recently.
Q Where was she living at the time of her death? A In Okmulgee Town
on the Canadian River. (near Hannah).
Q Did she ever have any other name? A I never knew her by any
other name.
Q Do you know whether or not she selected land for herself? A I
do not know.
Q To what town did she belong? A Fishpond.
Q Is Thompson living? A I think so.
Q Where does he live? A He lived with his mother.
Q About how old is Thompson? A Probably about eighteen years old.
Q Is Larley living? A I do not know but think she is.
Q What is her age? A I do not know.
Q Is Jennie living? A Jennie is a woman and has a husband and is
living.
Q Do you know her husband? A I do not know who he is.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
examine on said date.

Subscribed and sworn to before me this 18 day of November, 1904.

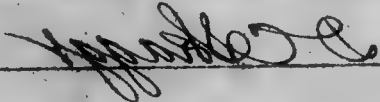
Notary Public.

C. 3032---2.

Q Do you know Bessie and Lowins? A I do not know the children.
Q Do you know Nancy? A Yes, sir.
Q Is she living? A I think she is living.
Q Is she the mother of Kizzie? A Yes, sir.
Q What name does Nancy go by? A Sometimes known as Nancy Larney.
Q Do you know Nancy's post office address? A She probably gets
her mail at Mellette.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.



Subscribed and sworn to before me this 5th day of November, 1904.


Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., November 2, 1904.

In the matter of the application for the enrollment of Kizzie, Bunnie and Lowina as citizens by blood of the Creek Nation.

WASHINGTON RILEY, being duly sworn, testified:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Washington Riley.
Q How old are you? A Sixty-seven.
Q What is your post office? A Senora.
Q Do you know Kizzie? A Yes, sir.
Q Is she living? A She is living near Eufaula.
Q What is the name of her mother? A Nancy.
Q Is Kizzie married? A I have heard on several occasions that she has been married a number of times.
Q Do you know what name she goes by now? A She left my neighborhood when she was a young girl under the name of Kizzie and I saw her when she was a grown woman and she was still known as Kizzie.
Q Who does she live with? A She has no permanent residence.
Q Do you know Bunnie and Lowina? A Yes, sir.
Q Are they living? A Yes, sir. They live with their mother.
Q Is their mother living? A Yes, sir.
Q Who is their mother? A I do not know.
Q Is Bunnie sometimes called Wainey? A Bunnie is the only name I know him by.
Q Was Lowina ever called Tickey or Tookah? A Lowina is the only name I know her by.
Q Is there another child younger than Lowina? A She had another girl, who is living, but I do not know her name.
Q What is the name of Kizzie's father? A Ben Mitchell or Jim Larney. It is not known which of the two is her father.
Q What is the name of the father of Bunnie and Lowina? A Ben Mitchell, sometimes known as Ben Scott.
Q Does Nancy go by the name of Nancy Scott? A Yes, sir. Sometimes Nancy Mitchell.
Q Do you know whether any land has been allotted to these children or not? A I do not know. Perhaps not, unless the Commission selected land for them.
Q Do you know whether any land has been allotted to Nancy? A I do not know.

WILEY BUCKNER, being duly sworn, testified:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Wiley Buckner.
Q How old are you? A Forty-five.
Q What is your post office? A Hannah.
Q To what town do you belong? A Okemah.
Q You are Town King are you? A Yes, sir.
Q Do you know Kizzie? A Yes, sir.
Q Is she living? A Yes, sir. I have not seen her for sometime but I understand she is living. She was living when I saw her last.
Q Where does she live? A Near Eufaula.
Q Is she married? A I do not know.
Q What name does she go by? A I know her as Kizzie Larney.

Q How old are you? A Forty-six.
Q What is your post office address? A Bearden.
Q What town do you belong to? A Guaratee No. 2.
Q Are you the Town King? A Yes, sir.
Q Did you know Soakte? A Knew her very well.
Q She is dead is she? A I have learned since coming to Okmulgee
that she is dead.
Q How long has it been since you saw her? A I have not seen her in
six years. She moved out of my neighborhood.
Q Do you know her children, Jennie and Lattie, and Jennie's child,
Thompson? A Yes, sir.
Q How long has it been since you saw any of them? A About six
years ago. I know them all very well.
Q Do you know whether any of them are living or not? A They are all
living but Soakte.
Q How do you know that they are living? A I know by report. I was
informed just the other day by the Town King of Okchive Town.

CHARLIE SIMMER, being recalled, testified as follows:

By Commission:
Q Who is the Town King of Okchive Town? A Wiley Buckner.
Q Is there any one in town who could give me any information about
these people--any one that has seen them lately? A I do not know.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

D. C. Skaggs

Subscribed and sworn to before me this 1st day of May 1904.

W. B. Skaggs
Notary Public.

C. 3230,
3231.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR,
Oklahoma, I. T., October 26, 1904.

In the matter of the application for the enrollment of Soakie et al., as citizens by blood of the Creek Nation.
Charlie Simmer, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

Q By Commission:
Q What is your name? A Charlie Simmer.
Q How old are you? A About thirty.
Q What is your post office address? A Okemah.
Q Are you a member of the House of Warriors for Pishpond Town? A Yes, sir.
Q Do you know Soakie and her children, Thompson and Larlie? A Yes, sir, but Thompson is the son of Soakie's daughter.
Q What is the name of Thompson's mother? A Jennie. She is living.
Q Is Soakie living? A She is dead.
Q How long has she been dead? A She died October 3, 1904.
Q She died this month did she? A Yes, sir.
Q Is Jennie living? A Yes, sir.
Q Is Thompson living? A Yes, sir.
Q Is Larlie living? A Yes, sir.
Q Whose child is Larlie? A A child of Soakie.
Q About how old is Jennie? A She was a good sized girl at the time of the Spichee War.
Q How old was Soakie at the time she died? A She was quite an old woman--sixty or sixty-five.
Q About how old is Thompson? A Probably about twenty-two. He was born at the close of the Spichee War.
Q Has he any other names? A It is quite likely he has an Indian name but Thompson is the only name I know.
Q Is Larlie called by any other names? A That is the only name she has.
Q About how old is Larlie? A She is probably seventeen years old.
Q Was she ever married? A No, sir.
Q Was Jennie ever married? A She was married at the time Thompson was born.
Q What name does she go by now? A That is all the name she has had.
Q Who was the father of Thompson? A Stepey.
Q What is the post office address of these people? A They live in the neighborhood of Hason.
Q Are they full-blood Creek Indians? A Yes, sir.
Q Have they lived in the Creek Nation all their lives? A Yes, sir.
Q Do you know why it is that they have not come up to see about being enrolled and getting land? A I am not able to answer that question.
Q Do you see them occasionally? A I knew them quite well when they lived in my neighborhood but they moved away about six years ago and I have not seen them since.

SIMMER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

Q By Commission:
Q What is your name? A Simmer.

2-10-1964

Q They are all living are they? A Yes, sir.
Q About six years old.
Q How old is Sister? A She is a good sized child. I would judge
Q That is the youngest child? A Yes, sir, the youngest is Sister.
Q You have two, Sister.
Q Do you know Sister, Emma and Lewney? A Yes, sir, also the

— 000000 —

I, D. O. Blumberg, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

W. J. H. H. H.

Subscribed and sworn to before me this 25 day of May 1961.

James L. Lusk
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
Oklahoma, I. T., October 13, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Kizzie, Bunnie and Lowina as citizens by blood of the
Greek Nation.

JIMSEY RISH, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A Jimsey Rish.
Q How old are you? A I was a boy when the war began.
Q What is your post office address? A Indiana.
Q Are you the Town King of Hutochuppah Town? A Yes, sir.
Q Do you know Kizzie, Bunnie and Lowina? A Yes, sir.
Q Are they full-blood Greek Indians? A Yes, sir.
Q Are they members of your town? A Yes, sir.
Q Are they all living? A Yes, sir.
Q What is their post office address? A They live there near
Indiana.
Q Do you know the name of their father? A Yes, sir.
Q What is his name? A Bunnie Scott.
Q What is the name of their mother? A Nancy.
Q Is Kizzie married? A No, sir. The last account I had of her she
was not married. She was up near Muskogee.
Q Who do Bunnie and Lowina live with? A They have no permanent
place of abode. They go about over the neighborhood. The older
sister is not at home much. I think there is another child that
belongs to that family that you have not got.
Q Has there been no one to look after these children? A No, sir.
Q Are these children called Kizzie Scott and Bunnie Scott and
Lowina Scott? A Kizzie's father is a different man.
Q Are they other children called Scott? A They are Scotts.
Q What was Kizzie's father's name? A I don't know who the father
of Kizzie was.
Q How long has it been since you saw Kizzie? A I think the last
time I saw her was sometime last winter.
Q How long has it been since you saw Bunnie and Lowina? A I saw
them before I left home.
Q Just before you left home? A Yes, sir.
Q Is there any one here that can tell me the name of that other
child? A She is the youngest child of the family and I think you
can find some one here that knows it.
Q About how old is that child? A I think the youngest child is
between eight and nine years old.
Q Do you know whether any land has ever been filed for these chil-
dren or not? A I don't think that land has been selected for any
of the children but I heard that Bunnie intended to select his allot-
ment.

LEWIS HARLO, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A Lewis Harlo.
Q How old are you? A About thirty years old.
Q What is your post office address? A Seneca.

CR FH 857

CR FH 857

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Gr. No. 828.

Muskogee, Indian Territory, March 14, 1907.

Emma Mason,

Summit, Indian Territory.

Dear Madam:

You are hereby advised that the Secretary of the Interior under date of March 4, 1907, affirmed the decision of the Commissioner to the Five Civilized Tribes, denying the application for the enrollment of yourself and minor children, Mary, Annie, Belle and Frank Mason, as Creek Freedmen.

Respectfully,

Commissioner.

LM

Gr. No. 835.

Muskogee, Indian Territory, March 14, 1907.

W. R. Moore,

Attorney for Emma Mason, et al.,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the
Interior under date of March 4, 1907, affirmed the decision of
the Commissioner to the Five Civilized Tribes, denying the
application for the enrollment of Emma Mason et al., as
Creek Freedmen.

Respectfully,

Commissioner.

LM

LAND
11731-1907

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs.

March 1, 1907.

Washington.

COPY

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed report of Commissioner Bixby, dated February 2, 1907, transmitting the record in the matter of the application for the enrollment of Emma Mason, and her minor children, Mary, Annie, Sallie and Frank Mason, as Creek freedmen. On January 31, 1907, the Commissioner held that the applicants were not entitled to enrollment.

The decision to the Commissioner has been examined, and is found to be correct, and its approval is recommended.

Very respectfully,

C. F. Larabee,

Acting Commissioner.

TPB-LC

1.P.
O.K.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

IRS.

March 4, 1907.

I . T. D.
6134, 6144, 7028, 7024-07.
7128, 7226, 7230, 7236-07.
7238, 7248, 7252, 7260-07.
7336, 7340-07.

DIRECT

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Your decision in the following Creek citizenship cases
adverse to the applicants are hereby affirmed. Copies of
Indian Office letters submitting your reports and recommending
that the decisions be affirmed are inclosed.

| Title of Case. | Date of Your Letter of Transmittal. |
|---------------------------------------|--|
| Henry Lowe, | February 16, 1907. |
| Mary Rogers, deceased (Freedman), | February 13, 1907. |
| Ellen Primer (Freedman) | February 21, 1907. |
| Charles Williams, deceased (Freedman) | February 14, 1907. |
| Clarence Bruner (Freedman), | February 23, 1907. |
| Maria Sears, | February 23, 1907. |
| Homor Whetzel, (Freedman), | February 23, 1907. |
| Emma Mason, et al (Freedman), | February 2, 1907. |
| Joanna Johnson, (Freedman) | February 2, 1907. |
| Anna Charles, deceased, | February 2, 1907. |
| Rose Bell Drew (Freedman) | February 12, 1907. |
| Hubert Humphreys (Freedman) | February 18, 1907. |
| Little Doctor, deceased, | February 20, 1907. |
| Lenard Davis, (Freedman), | February 21, 1907. |

A copy of all the papers in the above mentioned cases have
been sent to the Indian Office.

Respectfully,

E.A. Hitchcock
Secretary.

14 inc. and 28 inc.
for Ind. Of.

Gr. No. 688.

Muskogee, Indian Territory, February 8, 1907.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings

had in the matter of the application for the enrollment of
John Hanson, et al., as Creek Freedmen, including the decision
of the Commissioner to the Five Civilized Tribes, denying said
application.

Respectfully,

Commissioner.

LM-826.

Through the Commissioner
of Indian Affairs.

Gr. No. 828.

Muskogee, Indian Territory, February 8, 1907.

W. R. Moore,

Attorney for James Mason, et al.,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of

the application for the enrollment of James Mason et al., as

Creek Freedmen, denying said application.

The decision, with a copy of the proceedings had in the

case, is this day transmitted to the Secretary of the Interior

for his review and decision. The final decision of the Secretary

will be made known to you as soon as the Commissioner is informed

of the same.

Respectfully,

Commissioner.

IM-238.

Or. No. 888.

Muskogee, Indian Territory, February 8, 1907.

M. L. Nett,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Emma Mason et al., as Creek Freedmen, denying said application. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

IX-284.

Cr. No. 888.

Muskogee, Indian Territory, February 2, 1907.

James Mason,

Summit, Indian Territory.

Dear Madam:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of yourself and minor children Mary, Annie, Salie and Frank Mason, as Creek Freedmen, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commissioner is informed of the same.

Respectfully,

Commissioner.

Register.
IM-

REFER IN REPLY TO THE FOLLOWING:

En. 825.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

Muskogee, Indian Territory, January 4, 1907.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

In the matter of the application for the enrollment
of Emma Mason, et al., as Creek Freedmen, I have the honor to
report that the Creek field party is unable to secure further
evidence and there are returned herewith copies of the testimony

heretofore taken in said cause.

Respectfully,

In charge of Creek field party.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

REPLY IN REPLY TO THE FOLLOWING

CR 22 826

Muskogee, Indian Territory, October 16, 1905.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

There is enclosed herewith testimony taken October 10, 1905,
in the matter of the application for the enrollment of Emma Mason,

et al., as Creek Freedmen.

Advise me if further evidence is necessary in said case.

Respectfully,

W. L. G. [Signature]
Clerk in Charge, Creek Enrollment Field Party.

922

No. 828

Muskogee, Indian Territory, November 23, 1904.

James Mason,

Summit, Indian Territory.

Dear Madam:

September 1, 1904, you appeared before the Commission and made application for the enrollment of yourself and four minor children as Creek Freedmen. At the conclusion of the evidence then offered, the case was continued.

You are hereby notified that you will be allowed thirty days from date within which to introduce additional evidence, and, in the event that no further evidence is offered within the time mentioned, the case will be adjudicated upon the record now before the Commission.

Respectfully,

Chairman.

Register.

BEST AVAILABLE COPY
- POOR ORIGINAL -

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Emma Mason and her minor children, Mary, Annie, Sallie and
Frank Mason as Creek freedmen.

D E C I S I O N.

The record in this case shows that on September 1, 1904,
Emma Mason appeared at the office of the Commissioner to the Five
Civilized Tribes and made application for the enrollment of
herself and her minor children, Mary, Annie, Sallie and Frank
Mason, as Creek freedmen. Further proceedings were had in
this matter on November 30, 1904, June 9, 1905, June 24, 1905,
July 7, 1905, October 10, 1905 and August 13, 1906.

It appears from the evidence and the records in the possession
of this office that the applicant Emma Mason was born about
the year 1864 or 1865, and that she is the daughter of Roley
Scott and a woman named Alberta Dean or Barbara, neither of
whose names appear on the roll of Creek freedmen prepared by
J. W. Dunn, in 1867, or upon any of the tribal rolls of the
Creek Nation, except the 1890 authenticated tribal roll, upon
which is found the name of Roley Scott, in Tulsa Canadian
Town.

It does not appear from the evidence or from the records
in the possession of this office, that the name of Emma Mason
appears upon the roll of Creek freedmen prepared by J. W. Dunn
in 1867, or that the names of any of the applicants appear
upon the authenticated tribal rolls of the Creek Nation, nor
does it appear that they have ever been admitted to citizenship
in the Creek Nation by the Creek tribal authorities, the
Commissioner to the Five Civilized Tribes, under the act of
June 10, 1896 (29 Stat. 321) or the United States Court in
Indian Territory on appeal.

The father of the applicants, Mary, Annie, Sallie and
Frank Mason, is not a citizen of the Creek Nation and they can
therefore, have no more right to enrollment than their mother.
It is, therefore, ordered and adjudged that there is no
authority of law for the enrollment of said Emma Mason, or her
minor children, Mary, Annie, Sallie and Frank Mason, as citizens
of the Creek Nation, and the application for their enrollment
as such is accordingly denied.

COMMISSIONER.

Muskogee, Indian Territory.

JAN 31 1907

Q You don't know whether Royce Scott ever married after he and your mother separated if they ever lived together? A They lived together she said. I don't know whether he ever married but he had other children; I have a half sister.
Q What is her name? A Bettie Fulson, she is my half sister.
Q Do you know Bud Dean? A I reckon I do; he is my cousin.
Q He stated in testifying before this office that Royce Scott was a Greek freemason? A May be called but I know he was called an Indian, and he has Indian people just the same.
Q In your testimony you stated that your father was a Greek Indian but Dean states that he was a member of Arkansas town; other witnesses state he was a member of William's Canadian? A He lived in Arkansas town a while I reckon; that is the reason he said so.

I, Anna Garbines, on oath state that the above and foregoing is a true and correct transcript of my stenographic notes as taken in said cases on said date.

Subscribed and sworn to before me this 16 day of August 1906.

Anna Garbines
Notary Public

Q How long did you live in the Greek Nation from the time of your birth? A I have been here off and on.
Q How long have you been here? A All the time until I was married.
Q When did you first leave the Greek Nation? A I was a child, she took me out and then brought me back.
Q How old were you when she brought you back? A About 12 years old.
Q How long did you stay here that time? A Until I was married.
Q How old were you when you were married? A Somewhere about 18.
Q Then where did you go? A To Oklahoma.
Q How long were you there? A There a while and then here; after I was married I moved back and forth.
Q Did you have a home in Oklahoma? A No, sir.
Q Did you have a home in the Greek Nation? A No, sir.
Q You are married at the present time? A Yes, sir.
Q What is the name of your husband? A Dave Mason.
Q Citizen of any nation? A No, sir.
Q Just a coloredman? A Yes, sir.
Q Are all your children living? A Yes, sir.
Q Annie, Salie, Frank & Mary? A I have 10 children.
Q The balance of the children are all over age are they? A Yes.
Q Annie, Salie, Frank & Mary are they living with you? A Yes, sir.
Q Did you ever draw any money from the Greek Nation? A No, sir.
Q Were you ever recognized by the Greek tribal authorities? A Yes, my father told me and by him.
Q You mean people told you they thought you were a Greek citizen? A Yes, sir.
Q Did the Greek tribal authorities recognize you as a citizen? I mean the Greek council? A I haven't been before the Council.
Q You think you are a citizen from what people have told you? A Yes, my father said.
Q How do you know what your father said? A From what my mother said, my mother told me.
Q You never saw your father? A No, sir.
Q You don't know whether he ever recognized you as his daughter? A Yes, sir, she says so and I have witnesses to prove that.
Q Was your father a colored man? A He was nearly a full blood Indian.
Q That is what has been told you? A My mother told me.
Q Do you know how many times your father was married? A I don't know.
Q How do you account for the fact that you claim a certain person to be your father and yet you are over 40 years old, he died less than 10 years ago and according to your statements you don't know anything about him; how many times was he married? A I was told he was married several times.
Q Who first told you that your father was Roley Scott? A My mother.
Q Did she say she was married to him? A I never asked her.
Q Did she ever tell you how long she lived with him? A No, sir.
Q How long ago did your mother die? A I couldn't tell exactly.
Q Did she die before Roley Scott? A Yes, sir.
Q How long before? A I don't know.
Q Did she die five years before? A She died before he did right smart while.
Q Do you think as much as a year? A I couldn't tell exactly how long.
Q Did you ever know of Roley Scott at any time living with your mother in your own recollection? A I only know what she said.
Q Don't you recollect ever seeing him with her? A Only what she said; I know him and knew he was my father.
Q Do you know he claimed you? A I guess he saw me when I was small; I don't recollect him but others did. I have witnesses that recollect.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Muskegon, Indian Territory, August 13, 1906.

In the matter of the application for the enrollment of
Emma Mason, et al. as Greek freedmen.

EMMA MASON, being duly sworn, testified as follows:

Q What is your name? A Emma Mason.
Q Are you known by any other name? A No, sir.
Q Ever been married? A Yes, sir. My name is Emma Mason now; my
first name was Emma Scott.
Q How many times were you married? A Once.
Q How old are you? A I am somewhere in forty now.
Q Do you know you are over forty? A Yes I am forty something.
Q Do you think you are forty five? A I don't know but I am over
forty.
Q Do you remember the Civil War? A I heard a lot of talk about it.
Q Were you born before the war? A Yes I guess so; I heard a lot
of talk of the war; yes I found to be born before the war.
Q You were born before the war? A Yes I guess so.
Q Were you born before the slaves were free? A I don't know
whether I was born before or since the war.
Q What is your post office address? A Summit.
Q How long have you lived there? A About three years.
Q Where were you born or do you know? A In the Greek Nation my
mother says.
Q What was the name of your mother? A Alberta Dean.
Q Was she a citizen of any nation? A No, sir.
Q Just a colored woman citizen of the United States? A Yes, sir.
Q Was your mother ever married? A She says so; I don't know.
Q Whom did she marry? A She says Roy Scott was my father.
Q Do you know if she ever lived with him as his wife? A I don't
know.
Q Do you remember your father? A I don't.
Q Is your father Roy Scott living? A No, sir.
Q When did he die? A Hean't been dead very long.
Q Has he been dead two years? A Over two years.
Q Been dead ten years? A I don't think he has been dead ten years.
Q Where did he die? A In the Greek Nation.
Q What part of the Greek Nation? A Muskegon.
Q Were you present? A No, sir. I wasn't here when he died. If I
ever saw my father I didn't know him; I just know him through
what my mother says.
Q What do you know as to him being a citizen? A She says he was.
Q What you know in regard to his being a citizen of the Greek
Nation is what you have been told? A Yes, sir; I knew he was;
my mother said so.
Q Where were you living when you first remember living at all?
A In the Greek Nation when I came to my recollection.
Q How old were you when you first realized you were living?
A I couldn't exactly tell you how old I was.

Ms. 828.---2.

I, D. O. Shaggs, on oath state that the above and foregoing is a
true and true transcript of the stenographic notes as taken in said
court on said date.

[Signature]

Subscribed and sworn to before me this 16 day of Oct. 1904.

[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE CIVILIZED TRIBES.
Seneca, I. T., October 10, 1905.

In the matter of the application for the enrollment of Mrs.
Mason, et al. as Greek Freedmen.

YARDENKA HARJO, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY THE COMMISSIONER:

Q What is your name? A Yardenka Harjo.
Q What is your post office address? A Seneca.
Q How old are you? A I do not know my age. I may be a hundred
years old for all I know.

Witness appears to be about eighty years of age.

Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Hickory Ground.
Q Did you know Polly Goetz? A Yes, sir, I knew him for many years.
He belonged to Seneca Indian Town. He was one of the original
Greek Settlers from Alabama.
Q Was he a full-blood Indian? A He was a mulatto. His mother was
a Greek woman and his father a negro. He spoke both Greek and English.
Q Do you know when he died? A I do not know the year in which he
died. He died at his home on Butler Creek, near the old Elk Creek
battle ground.
Q That is not far from Muskogee is it? A No, sir.
Q Did he have a family? A He had a negro wife but was separated
from her before he died. I used to see him and his wife together at
Muskogee. She was a large, fleshy woman and very black.
Q Was she a citizen of the Greek Nation? A I do not know as to that.
Q Do you know whether he had any children by that woman? A No, sir,
he had no children by her.
Q How long did he live with her? A He did not live with her long.
Q Was he ever married to any other woman? A He once had an Indian
woman.
Q Did he have any children by her? A He had one son who died a
long time ago. The child was born about the close of the Civil War.
The mother died when the child was very small and the father carried
him around with him until he was nearly grown, when he died. The
mother of this boy was a Cherokee Indian. I have forgotten her name.
Q Did he ever have any other children by any other woman? A No,
sir. If he had ever had any other children he would have told me,
because we were good friends and he was at my house frequently during
his lifetime. Elias Jefferson would probably be able to give you all
the information you want about Polly Goetz.
Q What is Elias Jefferson's post office address? A Muskogee. Polly
Goetz lived with his Cherokee wife, near Muskogee, for a number of
years.
Q Has Polly Goetz any relatives living? A Yes, sir, he has a niece
and nephew, Annie and George Goetz. George lives with me and Annie
lives on Butler Creek.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Seneca, I. T., July 7, 1905.

Ex. 825.

In the matter of the application for the enrollment of Emma
Mason, et al., as Creek Freedmen.

GEORGE SCOTT, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSIONER:

Q What is your name? A George Scott.
Q How old are you? A About thirty-two.
Q What is your post office address? A Seneca.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Watauga Canadian.
Q Do you know Roley Scott? A Yes, sir.
Q What relation was he to you? A He was my uncle.
Q Have you a sister named Annie Scott? A Yes, sir.
Q Roley Scott is dead is he? A Yes, sir.
Q How long has he been dead? A He died something like a year after
the \$14.00 Payment.
Q Where was he living at the time he died? A He was living on
Butler Creek near Okmaha.
Q Were you living with him at that time? A No, sir.
Q Did he have a family? A He had a wife but he had been separated
from her about three years when he died.
Q What was his wife's name? A I did not know her name. She was a
negro woman.
Q Did he have any children by her? A No, sir.
Q Did he ever have any other wife besides this negro woman? A He
had no other wife so far as I know.
Q How long had he been living with the negro woman at the time he
died? A Perhaps about three years.
Q Did he have a daughter named Bettie Wilson? A I do not know of
such a daughter. He never acknowledged having a daughter by that
name.
Q Do you know Emma Mason? A No, sir. I never heard of her. He
never had any children except one son who died a long while ago. I do
not know what his name was. I understand some woman living near
Okmaha proved up Roley Scott's claim during the Loyal Creek Payment,
claiming to be his daughter, but so far as I have been able to de-
termine he never had such a daughter and the claim, I think, right-
fully belonged to me.
Q Did you ever live with Roley Scott? A I lived with him about a mo-
neth once. He was living alone at that time. (Meaning he had no
wife) My sister Annie was living with him at the time he died.
Q You are positive are you that he had no children except the son
who is dead? A Yes, sir, he never acknowledged any other.
Q Was Roley Scott a full-blood Indian? A He was a Creek mixto.
Q To what Creek town did he belong? A Watauga Canadian.
Q How old was he at the time he died? A I did not know his age but
he was an old man.
Q Did he make his home among negroes mostly or among Indians? A He
lived all his life among the Indians.
Q Do you know Alberta Dean? A No, sir.

I, D. C. Starks, on oath state that the above and foregoing is a
true and true transcript of my stenographic notes as taken in said
deposition on said date.
Subscribed and sworn to before me
this 7th day of July, 1905.
J. M. Starks

On page 96 of the 1890 authenticated roll of the Greek Nation appear the following names in one family: J. Kelly Scott, J. George Scott, J. Henry Scott. The witness is identified as number 2 in that family.

Q Are you sure that this woman Emma Mason that is here today is the same as the girl that you knew as Kelly Scott's daughter? A Yes sir.
Q Does George live in the town of Henrieville? A Little way from town, but he gets his mail in Henrieville.

John Merrick, being duly sworn, states that the above and foregoing is a true and correct transcript of her stenographic notes as taken in said case on said date.

John Merrick

Subscribed and sworn to before me this 24th day of June, 1904.

James H. [illegible]

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSIONER OF THE BUREAU OF LANDS
MUSKOGEE, I. T. JUNE 24, 1905.

In the matter of the application for the enrollment of
Mason et al., as citizens of the Creek Nation.

Annie Scott, being duly sworn, testified as follows:

Examination by the Commission:
Q What is your name? A Annie Scott.
Q How old are you? A About 39.
Q What is your post office address? A Okmulgee.
Q Are you a citizen of the Creek Nation? A Yes sir.
Q What is the name of your father? A Gomo Yatholpa.

Witness is identified as Annie Scott, whose name appears
on Creek Indian Card, Field No. 3240, and her name is con-
tained in the partial list of citizens by blood of the
Creek Nation, approved by the Secretary of the Interior
March 28, 1902, roll number 8471.

Q Have you a brother named George Scott? A Yes sir.
Q Do you know Holly or Roley Scott? A Yes sir, he was my uncle.
Q Is he living? A No sir.
Q When did he live? A He lived in here when he died.
Q Did you live with him at the time when he died? A Yes sir.
Q I went with him when he took a sick.
Q Did he have any children so far as you know? A Yes sir.
Q Who were his children? A Bettie Fulsom--
Q Bettie Fulsom is his child? A Yes sir.
Q Do you know this woman here Emma Mason? A Yes sir.
Q Was she a child of Roley Scott? A Yes sir.
Q Did she ever live with Roley Scott when you were living with
him? A No, I don't know that she did.
Q Did you ever know Emma Mason? A They were living together
when I came back.
Q Did you hear Roley Scott say that Emma Mason was his girl?
A Yes sir.
Q Is Roley Scott an Indian? A Yes sir.
Q Full blood? A Yes sir.
Q Do you know Emma Mason's mother? A No sir.
Q Did Emma Mason live up there when Roley Scott was living?
A Yes sir.
Q And Roley Scott said she was his daughter, did he? A Yes sir.
Q Did Emma Mason used to come to see him and stay for supper?
A Yes sir.
Q Did he ever stay all night at his house? A Yes sir.
Q How long have you known Emma Mason? A I knowed him ever since
I came to my uncles.
Q Who was Emma Mason living with when you came to your uncles?
A I don't know that.
Q Did she live with your uncle up there? A Yes sir.
Q Did your brother George Scott live up there with your uncle
too? A Yes sir.
Q Where does he live now? A At Henryetta.

-----5-588-5

Q About how old? A I don't know, sir, exactly.
Q Do you know where she is now? A Somewhere about Australia, I think.

BY MR. MOORE:
Q Are you sure of that? A Yes, sir.

BY THE COMMISSION:
Q Do you know who Annie's father was? A No, sir.
Q Do you know anybody named George Scott living with Roley?
A I don't know. There were so many folks living around there;
it might have been. I don't remember. All I remember Roley Scott
was my uncle.
Q Is Annie Scott a relation of Roley's? A Yes, that's what he
said.
Q Did she live in the same house with him? A Yes, sir.

BY MR. MOORE:
Q Where was Roley Scott living at this time, about? A He was
living down near my place, on Hill Creek.
Q Did you know him very well? A Yes, sir.
Q Did he ever speak of being married before--you knew him during
his last marriage, did you? A Yes, I knew him--
Q Did you ever hear him speak of having been married more than
one time? A Yes, sir; he was married more than one time.
Q How many times did you hear he was married? A Three times.
Q Did you ever hear speak of having a child named Emily? A I
haven't. He died a good while. I saw this woman at Australia.
I lived near my uncle then; I told him about his wife, and he said
that that was his girl.
Q Did he make mention about her age--about how old she was?
A No, sir; I did not say that.
Q How many brothers and sisters did Roley Scott have, that you
know of? A He had three or four sisters.
Q Name them. A Morena, Jennie, Nancy and Mahala.
Q How long has Roley Scott been dead? A I couldn't tell; I don't
know how long he has been dead.
Q To the best of your knowledge? A About eight or nine years
since he died.

BY THE COMMISSION:
The applicant here and her attorney are notified that the
Commission desires the testimony of Annie and George Scott. The
Commissioner of said George Scott is given as General, Indian Terr-
itory, and that Annie Scott lives on Butter Creek. The last post-
office given by her was Checotah. They will be allowed up to and
including June 30, 1906, to produce testimony.

INDIAN TERRITORY, Western District.
I, J. Y. Miller, a stenographer to the Commission to the
Five Civilized Tribes, do hereby certify that the above and fore-
going is a true and complete translation of my notes as same ap-
pear in my stenographic report of this case.

Sworn to and subscribed before me
this 17th day of June, 1906

Notary Public.

Q Do you know if George Scott is now living? A No sir.
Q Do you know anybody named Annie Scott? A Yes sir.
Q Who is she? A Girl; we used to play around together.
Q About how old is she? A She is mighty near twenty - some odd years old.
Q As old as thirty? A No sir; I don't think she is.
Q Is she a citizen of the Creek Nation? A Yes sir.
Q Indian or Freedman? A Indian.
Q Full-blood? A Yes sir.
Q What relation was she to Holey Scott? A Well, just a little claimed kin. He raised her; stayed with him sometimes; was with him when sick.
Q Claim relation? A Yes sir.

BY THE COMMISSION:
Q Do you know anybody by the name of Salie Scott? A No sir;
A Good deal of Indians I guess from the old George Scott--

BY MR. MOORE:
Q Was Holey Scott a full-blood or mixed? A Mixed.
Q How many times was he married? A Twice as I know--third time been her mother--Mama Mason's mother.
Q Did he ever speak of having more children in future?
A He died.-----
Q Who did he say these children were in future, boys or girls?
A He didn't say.

Includes Wallace, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION:
Q What is your name? A Includes Wallace.
Q How old are you? A I guess about 60.
Q What is your position? A Summit.
Q Do you know Mama Mason, the applicant here? A Yes, I am acquainted with her.
Q Did you know her father? A Yes sir.
Q What is his name? A Holey Scott.
Q How do you know that he was her father? A Well, he is my uncle; she claims as her father; I have seen her before he died.
Q You saw her before he died? A Yes sir.
Q As she living with him then? A No sir; was not with him.
Q How old was Holey Scott, your uncle, when he died? A I don't know, exactly; I couldn't tell you how old Holey was. I know he was a pretty old man.
Q Was he as old as Tope McIntosh here? A No sir; not quite.
Q He was not around seventy, was he? A I guess so.
Q Did you know him shortly before he died? A Yes sir.
Q Did you see him at his house? A Yes sir. He was at my house more than he was at his.
Q Do you know of any people that were living with him at that time? A He had a house; he was not very far from me.
Q Who used to live with him at his house? A He was living with some Indians close to me.
Q Did he have anybody living with him in the same family?
A He had a girl living with him, Annie.
Q How old was she? A She is a grown woman now.

Q Is he dead or living? A Dead.
Q the age of anything.
Q That was before the war. I was young. I could hardly remember
Q How old a man is the George Scott that you speak of? A Well,
Q Who is he? A That's my uncle; my father's uncle.
Q You know anybody by the name of George Scott? A Yes sir.
Q I am the oldest one.
Q Had been married and took sick. I lived home at my daughter's
Q Were you living with him up to the time he died? A Yes, he
Q him. A He had none but me. All children, they died before.
Q At the time of his death did he have any children living with
Q near as I can count, may be a little longer.
Q How long has he been dead? A Died about nine years ago, sir.
Q Dean, one named Hill.
Q What are their names? A Nancy Dean, Jane Dean, one Marlene
Q A Yes, he had three sisters.
Q Do you know if Holey Scott had any brothers and sisters?
Q A Yes sir.
Q Is that the same that Anna Mason claims to be her father?
Q What was her father's name? A My father, Holey Scott.
Q I could not tell you, but that is what my father says.
Q Do you know whether she is half sister of yours? A No sir.
Q Claim to be half sister of Anna.
Q Is related to him as Mason, the applicant here?
Q How old did Holey Scott seem to be? A Sixty some odd.
Q Was he living there when you last knew him? A Yes sir.
Q He lived--where did you say he lived? A At Australia.
Q Dead? A Yes sir. He had Indian blood; straight hair.
Q Do you know if this Holey Scott had any Indian blood? A Yes
Q Not to my knowledge.
Q Did you know any other Holey Scott in the Creek Nation?
Q There. I would go up there. I know it well.
Q For three years? A Yes, they lived over there; I lived over
Q same house for three years.
Q You could not tell exactly, but I have seen them together in the
Q How long did he live with this woman's mother? A Well, I tell
Q that is a long time and since ~~thence~~ after the war.
Q How long did you know Holey Scott? A I knew him before the war.
Q BY MR. MOORE:
Q One Holey Scott that I ever knew was before the war.
Q Did you ever know a full-blood Indian named Holey? A No sir.
Q No sir.
Q Do you know any of George Scott's brothers and sisters? A
Q Do you know an Indian named Annie Scott? A No sir.
Q Is that any here near Denver? A Somewhere near.
Q Where does he live? A I think live about Tulsa.
Q names.
Q Do you anybody named George Scott? A I know an Indian by that
Q the name of his wife.
Q McIntosh want to eat supper want to go home; that is how I caught
3. ----- 825-3.

Q In that year was your youngest child ~~born~~ Frank born
 in 1897? I just to tell the truth, I couldn't tell you what year.
 I know how ~~Frank~~ old he is.
 Q How old? A Four years old. That is past now.
 Q When will he be five? A He will be five--that is five now--
 over five last month.
 Q Is he living? A Yes sir.
 Q Your other children? A Mary.
 Q Is Anne living? A Yes sir.
 Q Salie living? A Yes sir.
 Q Where did your father go after he left your mother? A He was
 going out in here in the Greek Nation; stayed up in here.
 Q Has anyone told you about his marrying again after he left your
 mother? A I don't know; he had another wife. I don't know if he
 married or not. That it was the way it was told to me.

Tobe McIntosh, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION:

Q What is your name? A Tobe McIntosh.
 Q How old are you? A About--after 70.
 Q What is your postoffice? A Markago.
 Q Did you know this woman's father? A Yes sir.
 Q What was his name? A Holy Scott.
 Q Is he living? A Dead.
 Q How long since he has been dead? A Died nine years ago, if I
 am not mistaken.
 Q Do you know what his postoffice was when he was living?
 A Markago.
 Q Was he a citizen of the Greek Nation? A Yes sir.
 Q Was he a freedman or Indian? A Freedman.
 Q Are you sure he was a freedman? A Yes, sir, I am sure.
 Q Did he have any Indian blood? A Yes, half.
 Q Do you know if he had any brothers or sisters living with him?
 A Not to my knowledge.
 Q Did he have any other children besides this woman here? A
 They said he had, but I did not know them.
 Q Did you know him well? A Well, yes, known him before the
 war.
 Q Heard of him since the war? A Yes sir.
 Q In 1890? A Yes sir.
 Q Did you know any members of his family that he was living with
 in 1890? A I know that he was living at Eutaw along in 1887;
 I remember that.
 Q What Indian Town do you belong to? A Coweta town. I am on
 the Arkansas District Roll.
 Q Do you know what district this Holy Scott belonged to?
 A Eutaw.
 Q About how old a man was he when he died? A A few as my
 knowledge a pretty old man.
 Q As old as you are? A Older of age than I was.
 Q Do you know whether he drew any payment in 1890? A No, I don't
 know; I could not say he did.
 Q How do you know that he was this girl's father? A Because I
 saw him, was living with her mother.
 Q What was her mother's name? A All the name that I heard of--
 I am going to tell the truth called Barbara. I stayed there one
 night with them. They said, Barbara marry up with supper, so

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

Indian Territory, June 9, 1905

In the matter of the application for the enrollment of names
known, et al. citizens of the Creek Nation.

APPEARANCE: W. B. Moore, Attorney for the applicants.

James Lesson, being duly sworn, testified as follows:

EXAMINATION BY THE COMMISSION:

Q What is your name? A James Lesson.
Q How old are you? A I am about 40.
Q What is your position? A I am a farmer.
Q Are you the same James Lesson that appeared here last November
and gave testimony in your case? A Yes sir.
Q What is the name of your father? A Holly Scott.
Q Is he living or dead? A Dead.
Q How long has he been dead? A About nine years--over nine,
about ten now, I think.
Q About how old a man was he when he died? A I don't know.
Q Was he fifty or eighty? A I could not tell you. He was over
fifty.
Q When did you live with him last? A I have not seen him since I
was small.
Q Do you know if he had any brothers and sisters? A Yes, he--
Q Do you know their names? A I don't know; he had only one
sister.
Q Do you know her name? A I don't know, I think.
Q Was she as old a woman as he was? A I don't know, sir;
I could not--
Q Did he ever have any children that you know of besides you and
Bettie Tolson? A I don't know, sir.
Q Do you know where he lived in the Creek Nation? A He lived
down at Enfield.
Q Did you ever write any letters to him? A No sir; I was small.
I never wrote any.

BY MR. MOORE:

Q He and your mother separated sometime after they had married?
A Yes sir.
Q About how old were you when they separated? A About twelve
or thirteen.
Q You haven't seen them often since? A No sir.

BY THE COMMISSION:

Q Where do you live? A At Summit.
Q How long have you lived in the Creek Nation? A Off and on
all the time.
Q How long have you lived this last time? A Now going on two
years.
Q The Creek Nation is your home now? A Yes sir.

Q Did your father ever tell you the name of Emma Mason's mother? A No sir he told me the name of his daughter but he never did tell me the name of her mother.

Upon request of the applicant this case is continued for 30 days.

Mattie V. Vaughn states upon oath that as stenographer to the Commission to the Five Civilized Tribes she correctly recorded the testimony in the above entitled cause and that the foregoing is an accurate transcript of her stenographic notes.

Mattie V. Vaughn

Dece, ber 1904. Subscribed and sworn to before me this 3rd day of

Charles D. Vaughn
Notary Public.

Q What was Emma Mason's father's name? A Her father and my father was the same; my father told me he had a daughter in the States but he always said he didn't know where she lived.

Q What was your father's name? A Hollis Scott.

Q Was he ever known by any other name? A No sir, Hollis Scott was the only name my father got.

Q What town do you belong to? A Rutalia; no that was my father's town; I belonged to Canadian town.

Q You belong to Canadian town do you? A Yes sir that is where I belong; my father belonged to Rutalia.

Q Have you belonged to Canadian town ever since the war? A Yes sir and before the war too.

Q Your father belonged to the same town as you didn't he? A No sir, he belonged to Rutalia.

Q Is it Rutalia - Canadian or Rutalia -- Deep Fork? A My father belonged to Rutalia town.

Q How long has your father been dead? A As near as I can recollect he died 9 years ago; as near as I can count it.

Q You don't know whether Emma Mason is your father's daughter or not? A My father always told me he had a daughter; he told me what her name was, and told me he had a daughter; I never seen her until this time.

Q Where did he say this daughter was? A He said she was in the State; I don't know where she was but he always told me she was in the State.

Q Your mother's name was Susan Durant? A Yes sir

LUCINDA WALLACE

Being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Lucinda Wallace.

Q How old are you? A About 40 years old.

Q What is your post office address? A Summit.

Q Do you know Emma Mason? A Yes sir.

Q How long have you known her? A I have seen her I guess upon 20 years; I met her in Rutalia.

Q How long ago? I don't know how long ago; my father was living then.

Q What is the name of her father? A Hollis Scott.

Q What was the name of her mother? A Barbara.

Q Was that the name of Emma Mason's mother? A Yes sir.

Q Barbara what? A I don't know what her other name was.

Q Did you ever know any one by the name of Alberta Dean? A I have heard the name called.

BETTIE KOLSON

Recalled testified as follows:

Q Did you know Emma Mason's mother? A No sir I wasn't acquainted with her mother.

Q Do you know whether he was here when the Dunn roll was made or not? A I think he was; I just can't say exactly; he was here I think.

Q Did he ever have any other children? A Yes sir.

Q Who? A Bettie Tolson.

Q What was the name of Bettie Tolson's mother? A Durnant.

Q What was her first name? A Susan Durnant.

Q She didn't have the same mother as Emma Mason? A No sir.

Q Same father but a different mother? A Yes sir that is right; same father and different mother.

The records of the Commission show that Bettie Tolson is listed for enrollment on the Creek Freedman field card number 1293 and that her name is contained in the partial list of Creek freedmen approved by the Secretary of the Interior March 28, 1902, number 4498.

The records further show that she is the daughter of Rolla Scott, deceased; that her said father was a Creek Indian, and that her mother is Susan Durnant who is identified on the Dunn roll number 1351.

Q What was the name of Emma Mason's mother? A I don't know that.

Q You don't know her mother's name? A No sir I just seen the girl; I didn't know her mother; I didn't get acquainted with her mother.

BETTIE TOLSON
Being first duly sworn testified as follows:

Examination by the Commission.

Q What is your name? A Bettie Tolson.

Q How old are you? A I'm 80 years old.

Q What is your post office address? A Muskogee.

Q Do you know Emma Mason? A No sir I haven't met her before.

Q My father told me he had a daughter, but I never seen her until I met her this time.

Q What is your father's name? A Rolla Scott.

Q Was he a slave? Well he was; Yes sir he was a little mixed.

Q Was he taken out of here during the war; about the time of the war? A Yes sir he did.

Q Do you know what time he got back? A He got back a little before the war closed.

Q Before the war closed? A Yes sir.

Q Where was he taken to when he was taken out of here? A His home was on the South Canadian; when the war broke out he moved from here out to Gibson Station.

Q Did he go to Texas during the war? A No sir.

Q Did he go to Kansas? A No sir he didn't go out to Kansas; he just lived right around here.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE INDIAN TERRITORY, NOVEMBER 30, 1904.

In the matter of the application for the enrollment
of Emma Mason et al. as Creek freedmen.

SUPPLEMENTAL TESTIMONY.

BUD DEAN
Being first duly sworn testified as follows:

EXAMINATION BY THE COMMISSION.

Q What is your name? A Bud Dean.
Q How old are you? A 58 or 60 years old.
Q What is your post office address? A Muskogee, I. T.
Q Do you know Emma Mason? A Yes sir.
Q How long have you known her? A About 30 years.
Q About how old is she? A She ought to be about 45 or 46 years old I think.
Q About how old was she when you first knew her? A I couldn't tell you just how old she was.
Q As near as you can remember? A She looked to be about 10 or 12 years old; she was just a small girl when I first seen her.
Q Is she any kin to you or your father's side? A Her father was my uncle; her father was my mother's brother.
Q Has Emma Mason been out of the Creek Nation a good while? A Yes sir I guess about ever since she was grown up; I have seen her since she come up here and found out she was Rolla Scott's daughter.
Q Was Rolla Scott a Creek freedman? A Yes sir.
Q Did he ever go by any other name than Rolla Scott? A Not that I know of; he used to live about with my father and mother.
Q Where did he die? A Right over there on the hill.
Q In the Creek Nation? A Yes sir right up there on the hill.
Q How long has he been dead? A About 9 years I think.
Q Was he a citizen of the Creek Nation? A Yes sir.
Q What town did he belong to? A Arkansas I think.
Q Do you know whether he ever drew any money in the Creek Nation? A Yes sir I think he has.
Q You think he has? A Yes sir.

Q Have you a brother named Solomon Lowman? A No sir.
Q Do you know of anybody named Mike Watson? A No sir.
Q Do you know Minnie Mason? A No sir.

The records of the Colbert Commission examined and the applicants herein do not appear to have made application to that Commission. The record of proceedings of the Commission under the provisions of the act of June 10, 1898, examined and it does not appear that applicant herein made application under the provisions of that act. The Dunn Roll examined and the applicant's father not identified thereon under the name given, nor is her mother identified thereon under the name given.

This case is continued for further evidence.

Henry G. Maine being sworn on his oath states that an stenographer to the Commission to the Five Civilized Tribes he reported the above case and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Maine

Subscribed and sworn to before me this 11 day of November, 1904.

Charles A. Lowman

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. SEPTEMBER 1, 1904.

In the matter of the application for the enrollment of Emma,
Mary, Annie, Salie and Frank Mason as Creek Freedmen.

Emma Mason being sworn on her oath testified as follows:

Examination by the Commission:

Q What is your name? A Emma Mason.
Q How old are you? A About 35 or 40, as near as I can come; I don't
know exactly; somewhere near about 40 I reckon.
Q What is your post office address? A Summit, I.T.
Q Do you make application to be enrolled as a Creek Freedman? A Yes
sir.
Q How long have you been in the Creek Nation? A This time about 9
months.
Q Where did you come from? A I have been in the Creek Nation off and
on; I came from Texas.
Q How long did you live in Texas? A About a year.
Q Where did you live before that? A In Oklahoma.
Q How long did you live in Oklahoma? A 2 or 3 years; then back here
again.
Q Where were you born? A In Creek Nation.
Q How long did you live here after your birth? A Off and on.
Q How long after you were born before you went out of here? A I was
carried out of here when I was a child; when I was first taken away from
here I guess I was about 12 years old.
Q Where were you taken to? A To Texas, then back here and then in
Oklahoma.
Q Have you any children you want to apply for? A Yes sir.
Q Are they all under age? A No sir.
Q Give me the oldest one under age. A Mary Mason.
Q How old is she? A About 12.
Q Next? A Annie Mason.
Q How old? A About 11.
Q Next? A Salie Mason.
Q How old? A About 8.
Q Next? A Frank.
Q How old? A He is four.
Q Are these children all living with you? A Yes sir.
Q All alive, are they? A Yes sir.
Q What is the name of their father? A Dave Mason.
Q Do you claim that Dave has any rights in the Creek Nation? A Well,
I married him here.
Q Is he a citizen of the Creek Nation? Has he any rights in the Creek
Nation? A No sir, never made application.
Q Does he claim he has any rights here? A He thinks he has but he has
never made out any application.
Q Did you ever draw any money from the Creek Nation? A No sir.
Q Was any money ever drawn for any of your children? A No sir.
Q How do you claim the right to enrollment? In what way? A My father.
Q What was his name? A Roley Scott.
Q Is he living or dead? A Dead.
Q How long has he been dead? A I don't know exactly; I think it was
he died when I was small.
Q Where did he die? A In the Creek Nation.
Q What is the name of your mother? A Alberta Dean.
Q Is she living or dead? A Dead.
Q How long has she been dead? A She died when I was small too.
Q Was your mother a citizen of the Creek Nation? A Yes sir.

CR EN 852

CR EN 852

RESIDENCE:

POST-OFFICE:

Verona, Ind. Ind.

Nation.

Roll.

CARD NO.

FIELD NO. 3483

Roll No.
Dawes

NAME

Relationship to Person First Named

AGE

SEX

BLOOD

TRIBAL ENROLLMENT

No.

Year

Name of Father

Year

Name of Mother

Year

TRIBAL ENROLLMENT OF PARENTS

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

George H. H. H. H.

10 M 78

1892

Indian Census 1st

Ind. Census 1st

Elizabeth D. H. H.

Ind. City

Ind. Census 1st

Ind. Census 1st

Ind. Census 1st

Ind. Census 1st

CT En 824

Muskogee, Indian Territory. 24, 1906.

Lee Willett,

Hitchita, Indian Territory.

Dear Sir:

You are hereby notified that under date of February 12, 1906, the Department affirmed the decision of the Commissioner to the Five Civilized Tribes, dated January 12, 1906, denying the application for the enrollment of Nathaniel Berryhill, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Acting Commissioner.

Cr. No. 824

Muskogee, Indian Territory, February 24, 1906.

M. J. Nott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby notified that under date of February 15, 1906, the Department affirmed the decision of the Commissioner to the Five Civilized Tribes, dated January 12, 1906, denying the application for the enrollment of Nathaniel Berryhill, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Acting Commissioner.

Cr. No. 824

Muskogee, Indian Territory, February 24, 1906.

M. L. Mott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby notified that under date of February 16,

1906, the Department affirmed the decision of the Commissioner to the Five Civilized Tribes, dated January 12, 1906, denying the application for the enrollment of Nathaniel Berryhill, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Acting Commissioner.

MM
C

Acting Commissioner.

C. F. Larabee,

Very respectfully,

decision adverse to the application is recommended.

March 1, 1901 (31 Stats., 861), the approval of the Commissioner's
In view of the record and of Section 28, of the act of

to April 1, 1899.

The record shows that Nathaniel Berryhill died prior

the application.

January 12, 1906, the Commission decided adversely to

of the Creek Nation of Nathaniel Berryhill, deceased.

the record of the application for enrollment as a citizen by blood

to the Five Civilized Tribes dated January 12, 1906, transmitting

I have the honor to enclose a report from the Commissioner

Sir:

The Secretary of the Interior.

The Honorable,

January 24, 1906.

LAND:
5464-1906

WASHINGTON.

OFFICE OF INDIAN AFFAIRS,

DEPARTMENT OF THE INTERIOR,

Refer in reply to
the following:

COPY

#852

1. P.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

February 12, 1906.

I. T. D. 1428-1906.

SIR:

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

January 12, 1906, you transmitted the record in the matter
of the application for the enrollment of Nathaniel Berryhill, do,
ceased, as a citizen by blood of the Creek Nation.

Reporting January 24, 1906, the Indian Office recommended
that your decision, adverse to the applicant, be approved. A copy
of its letter is inclosed.

The Department concurs in said recommendation, and your
decision dated January 12, 1906, is hereby affirmed.

Respectfully,

(Signed) Thos. Ryan,

First Assistant Secretary.

1 inclosure.

Ex. 824

Muskogee, Indian Territory, January 18, 1906.

Lee Hillier,

Hickory, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of your great uncle, Nathaniel Berryhill, deceased, as a citizen by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

AG-80

Wm. 834

Muskegon, Indian Territory, January 18, 1906.

M. L. Mott,

Attorney for Creek Nation,

Muskegon, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Nathaniel Berryhill as a citizen by blood of the Creek Nation. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

AG-61

En. 824

Muskegon, Indian Territory, January 12, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings

in the matter of the application for the enrollment of Nathaniel
Berryhill, deceased, as a citizen by blood of the Creek Nation,
including the decision of the Commissioner to the Five Civilized

Tribes, dated January 12, 1906.

Respectfully,

Commissioner.

Through the

Commissioner of Indian Affairs.

AG-62

8007

Muskogee, Indian Territory, December 16, 1908.

Alex Posey,

Clerk in charge Creek Field Party.

Dear Sir:

This office has been informed that Tom Smith of Henry-
etta, Indian Territory, may be able to give testimony relative
to the date of the death of Nathan Berryhill, deceased.
Tom Smith has been requested to appear before this
office but has failed to do so. When you are in Henryetta,
you will endeavor to secure his testimony.
Respectfully,

Commissioner.

BEST AVAILABLE COPY
- POOR ORIGINAL -

8.11.1

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

ALLISON I. ALLEN
HENRY L. DAWSON
TAMM BIXBY
THOMAS B. WARD
C. R. BRECKINRIDGE

Muskogee, Ind. Ter., March 26, 1902.

Richard Berryhill,
Eufaula, Ind. Ter.

Dear Sir:

The name of Nathaniel Berryhill appears upon the 1891 omit-
ted and 1895 pay rolls, Broken Arrow Town, of the Creek Nation, and is
listed for enrollment as a citizen of said nation.

However, before his name can be included in the final roll
of Creek citizens, to be submitted to the Secretary of the Interior
for approval, it will be necessary that the Commission be advised
whether or not this child was living on April 1, 1899. If the child
is dead, proof of death must be furnished, and for this purpose
there is herewith enclosed blank death affidavit, which please care-
fully fill out and execute before a notary public, and return to this
office in the enclosed envelope, which requires no postage.

Yours truly,

Commissioner in Charge.

Enc. Death advt.
OCH.

BEST AVAILABLE COPY
- ORIGINAL -

I.D.

OF EN 824

COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of
Nathaniel Berryhill, deceased, as a citizen by blood of the Creek
Nation.

.....DECISION.....

The record in this case shows that on September 1, 1904, Lee
Elliot appeared before the Commission to the Five Civilized Tribes
at Muskogee, Indian Territory, and made application for the enroll-
ment of Nathaniel Berryhill, deceased, as a citizen by blood of
the Creek Nation. Further proceedings were had October 26, 1904,
November 10, 1904 and December 12, 1904, and August 22, 1905.
The evidence shows that said Nathaniel Berryhill, deceased,
died prior to April 1, 1899.
It is, therefore, ordered and adjudged that there is no
authority of law for the enrollment of said Nathaniel Berryhill,
deceased, as a citizen by blood of the Creek Nation, and the appli-
cation for his enrollment as such is accordingly denied.

Commissioner.

Muskogee, Indian Territory.

JAN 12 1905

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Henryetta, Indian Territory, December 12, 1905.

In the matter of the application for the enrollment of
Nathaniel Berryhill, deceased, as a citizen by blood of the Creek
Nation.


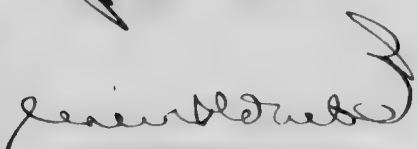
Joseph C. Smith, being duly sworn, testified as follows:

By Commissioner.

Q What is your name? A Joseph C. Smith.
Q What is your age? A Thirty six
Q What is your post office address? A Henryetta.
Q Are you a citizen of the Creek Nation? A No I am a citizen of
the United States.
Q Were you acquainted with Nathaniel Berryhill? A Yes, sir.
Q Do you know when he died? A Well I hate to swear exactly but it
was about the 28 of March 1899.
Q Were you present when he died? A Yes, sir.
Q Do you remember ~~the~~ the opening of the Creek Land office? A Yes
Q Did Nathaniel Berryhill die before or after the opening of the
Creek Land Office? A Before the opening of the Creek Land office.
Q How long before? A Well it was said I think to open on the first
of April 1899 and he died three days before it opened. He was the
first person I ever saw die with pneumonia.
Q You are positive are you that he died three days before the
opening of the Creek Land office? A Yes, sir.
Q Have you a record of his death? A No, sir but I waited on him
while he was sick, was present when he died and helped to lay him
out. He always said he would be the first one to file but he didn't
live until the time. He had his land all selected and was waiting
for the land office to open when he died. It was understood between
him and myself that I should ~~make~~ his allotment. We knew each
other well and he was making his home with me when he died. I
went with him before the Commission February 1899, went to see if
he was on the roll and if he would be allowed to file. The
Commission told him he would be allowed that privilege when the
time came.

I, Alex Posey, state on oath that the above and foregoing is a
true and correct transcript of my notes as taken in said case
on said date.

Subscribed and sworn to before
me this 22 day of December 1905.



Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES
Greek Enrollment Field Party.
Checotah, I. T., August 29, 1908.

In the matter of the application for the enrollment of Nathaniel Berryhill, deceased, as a citizen by blood of the Greek Nation.

Hellen Murray, being duly sworn, testified as follows:

BY COMMISSIONER:

Q What is your name? A Hellen Murray.
Q How old are you? A Forty-seven.
Q What is your post office address? A Checotah.
Q Are you a citizen of the Greek Nation? A Yes, sir.
Q To what town do you belong? A Broken Arrow.
Q Did you know Nathaniel Berryhill? A Yes, sir.
Q He is dead is he? A Yes, sir.
Q Do you know when he died? A He died in 1899.
Q In what month? A March.
Q Do you know what time in March? A No, sir.
Q Were you present when he died? A Yes, sir.
Q Where did he die? A He died at Lee Hillside here in Checotah.
Q Was he related to you? A Yes, sir. He was my cousin.
Q What circumstance fixes it in your mind that he died in March, 1899? A Well the reason is that he was in my house in January after my daughter, Henry Murray, died. He stayed here a couple of days and went back on the Deep Fork and never came back until about the first of March and he taken sick and went to Lee Hillside and died.
Q Do you know how long he was sick? A I don't know exactly how long he was sick but I think it was a week or maybe longer.
Q Do you know whether or not a record of his death was made? A I don't remember. It seems to me like it came out in the paper and it did you can get that at the news-paper office.

The files in the office of the news-paper referred to were examined but no mention of the death of Nathaniel Berryhill could be found therein.

Q Where was he buried? A In the Checotah Cemetery.
Q Was there a head-board placed on his grave? A No, sir.
Q Do you remember the circumstance of the opening of the Greek Land Office at Muskogee? A Yes, sir.
Q Was he living at that time? A I couldn't say. I don't remember what year that was.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

[Signature]

Subscribed and sworn to before me this 30 day of Aug., 1908.

[Signature]
Notary Public.

Q Have you testified in this case before? A They have an affidavit made two years ago; it is not recorded anywhere.
Q Did you furnish medicine for him after the date of this prescription?
A Yes sir, I furnished medicine from my case.
Q Do you know how long that was after you made this prescription?
A I testified on the 28th that I gave this medicine for the throat, but this is the last medicine I gave.
Q Do you know how long after you gave that medicine until he died?
A It was a very short time; might possibly have been 2 or 3 days and it might have been only a day. I am not positive. I have my doubts about his living until the 1st or 2nd of April, but, finding I had given him medicine on the 28th and from the statements of the people here and from what I know of them, I am inclined to believe that they were correct, about it, but under oath I am not positive about the time; I know it was a day or two or maybe more.
Q This prescription was made on the 23rd day of March, 1899? A Yes sir, I had it made right in the drug store.

Henry G. Haine being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Haine

Subscribed and sworn to before me this 18th day of November, 1904.

James A. Haggard
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOV. 10, 1904.

Supplemental testimony

In the matter of the application for the enrollment of Nathaniel Berryhill, deceased, as a citizen by blood of the Creek Nation.

William A. Reed being sworn testified as follows:

Examination by the Commission:

Q What is your name? A William A. Reed.
Q How old are you? A I am thirty four years old.
Q What is your post office address? A Checotah, Indian Territory.
Q Are you a regularly practicing physician? A Yes sir.
Q Do you know Nathaniel Berryhill; did you in his life time? A Yes sir.
Q Did you attend on him in his last illness? A Yes sir.
Q When was that? A That was in March 1899.
Q Do you know when he died? A I can't testify to the exact date only I have written a record here of the last prescription I made of the case; on the 23rd day of March; that's the last prescription I find on the record; however, I am under the impression he lived several days after that but how many I don't know. This was written on the 23rd day of March, 1899; he died a very few days after that; I sent him medicine; we had a consultation and we decided on, and I thought there was no hope for him and that's the last prescription I wrote for him.
Q Do you know how many days after you wrote that he died? A I don't know; it might have been two or three or four days; I know it was a day or two.
Q Did he die within a week of the time you wrote that prescription?
A I am satisfied he did; I believe he did; there was statements made to me by parties that he died on the 2nd or third day of April and they might likely be correct, cause I was very busy then and Mr Elliot came and got me and he was a full blood Indian and didn't want to have a physician and I made these trips on the 9th day of March, and the 14th and 15th and on the 17th then the 18th and 19th; this is my handwriting; my book keeper wrote there.

There is presented for the inspection of the Commission what purports to be a physician's prescription which shows to have been for Nathaniel Berryhill, 3/23/99.

(Statement by witness) A I know it was several days after that prescription that he died; how many I don't know; these people are very reliable people and they claim it was the 1st or 2nd day of April 1899, and it possible they may be correct; I was very busy at the time and we decided we couldn't do anything for him; he had complete consolidation and pneumonia and couldn't swallow and I directed that from the house.
Q Doctor, from the time you wrote that prescription, how long was it until you heard of his death, according to your best recollection?
A I had the recollection it was 3 or 4 days but it might have been as late as the 1st or 2nd of April; I am inclined to believe it was the 1st or 2nd day of April.
Q I understand you are inclined to that impression because you consider them reliable people? A Yes sir.
Q Your own recollection is that it is 3 or 4 or 5 days? A Yes sir, a short time; of course, if a man is busy a few days can go off quick; I made one affidavit that the last time I gave him medicine was on the 28th; the probability is that is correct; you say that would be 3 days.

C. 2482.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., October 28, 1904.

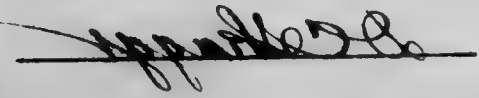
In the matter of the application for the enrollment of Nathaniel Berryhill as a citizen by blood of the Creek Nation.

DICK HERRYHILL, being duly sworn, testified as follows:

By Commission:
Q What is your name? A Dick Herryhill.
Q How old are you? A About fifty-six.
Q What is your post office address? A Chocotah.
Q Were you acquainted with Nathaniel Berryhill? A Yes, sir, I knew him.
Q Was he a relative of yours? A Claimed to be a second cousin of mine.
Q To what town in the Creek Nation did he belong? A He belonged to Broken Arrow.
Q Do you know when he died? A No, sir.
Q Do you know whether he died before or after the opening of the Creek Land Office? A I don't know for certain but I think he died before the land office was opened.
Q Do you know of any one who would likely know? A Lee Elliot.
Q Where does he live? A Down close to Hitchites. He died at Lee's house.
Q Is Hitchites his post office address? A Yes, sir.

-----0:-----

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.



Subscribed and sworn to before me this 4 day of Nov. 1904.


Notary Public.

identified person at No. 147 in Broken Arrow town.
Reference is made to GND 2482.

Henry G. Hains being sworn on his oath states that as stenographer to
the Commission to the Five Civilized Tribes he reported the above case
and that this is a full, true and correct transcript of his stenographic
notes in same.

Henry G. Hains

Subscribed and sworn to before me this 11 day of November, 1904.

Charles J. Hains

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. SEPT. 1, 1904.

In the matter of the application for the enrollment of Nathaniel Berryhill, deceased, as a citizen by blood of the Creek Nation.

Lee Elliot being duly sworn testified as follows:

Examination by the Commission:

Q What is your name? A Lee Elliot.
Q How old are you? A 29.
Q What is your post office address? A Hixsonite.
Q Do you make application for the enrollment of Nathaniel Berryhill as a citizen by blood of the Creek Nation? A Yes sir.
Q He is dead is he? A Yes sir.
Q Was he living in the Creek Nation at the time of his death? A Yes sir.
Q How long had he resided in the Creek Nation, do you know? A No sir, some 18 years I think.
Q You knew him did you? A Yes sir.
Q How far did you live from him when he died? A Lived right in my house when he died.
Q Are you a citizen of the Creek Nation? A No sir.
Q You are married, are you? A Yes sir.
Q Is your wife a citizen? A No sir.
Q Are you related to Nathaniel Berryhill? A Yes sir.
Q What relation do you bear to him? A My great uncle.
Q Do you know when he died? A Well, I can't positively say just when he died; I had a memorandum book when he died but it has been along four years or longer and I have got it misplaced and I don't know the exact date of his death.
Q Did a physician attend on him when he died? A Dr. Reed at Chocotah and Dr. Davis.
Q Are they still living there? A I think Reed is; and he attended on him the longest and held a consultation with Dr. Davis; Davis is in Mexico I think.
Q Have you endeavored to get near the exact date by consulting with Dr. Reed? A Yes sir.
Q Do you know whether he has an entry in his books? A Yes sir; somewhere about the 30th day of March, 1899; I think he has all his books about that here.
Q Is that the last entry he has on his books about this man? A I think so; my positive recollection is that either the 2nd or 3rd day of April, 1899 that he was alive but I can't find any papers that give the exact date.
Q Do you remember of Dr. Reed making his last visit there? A Yes sir.
Q Did Nathaniel Berryhill die that day? A No sir; he lived several days after that; he had given the case up several times and said he couldn't do any good; the man that was there at the time he died is dead now. The last prescription I carried in there and I think it in the drug store now and to my certain knowledge he lived several days after that.
Q Who made that prescription? A Dr. Reed.
Q You can get that, can you? A Yes sir.

This case is continued for further evidence and the applicant is advised that it will be necessary for him to have Dr. Reed before the Commission with his book showing the record of the last visit that he made to Nathaniel Berryhill; and it is also required, if it can be secured, that the prescription that the witness refers to be furnished the Commission.

The 1891 omitted roll examined and Nathaniel Berryhill identified thereon as No. 248; the 1895 pay roll examined and Nathaniel Berryhill

CR EN 834

CR EN 834

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. SEPTEMBER 1, 1904.

In the matter of the application for the enrollment of Beatrice Jackson as a Creek Freedman.

Dinah Bruner being sworn testified as follows:

Examination by the Commission:

Q What is your name? A Dinah Bruner.
Q How old are you? A I can't tell my age.
(Witness appears to be about sixty years old.)
Q What is your post office address? A Okmulgee.
Q Do you make application for the enrollment of Beatrice Jackson as a Creek Freedman? A Yes sir.
Q What is the name of her father? A Jackson Sparks.
Q What is the name of her mother? A Minora Jackson; Minora Walker before she married.

The records of the Commission show that Minora Walker is listed for enrollment on Creek Freedman card Field No. 234, and that her name is contained in the partial list of Creek Freedmen approved by the Secretary of the Interior March 13, 1902, No. 775.

Q Is this child living? A Yes sir.
Q How old is she? A She is two years old and three months.
Q Two years and three months? A Yes sir.
Q You are certain that is her age? A Yes sir.
Q The mother of the child is dead, is she? A Yes sir.
She died in

May.
Q And are you the child's grandmother? A Yes sir.
Q Is the child living with you? A Yes, I've got her.
An affidavit relative to the birth of Beatrice Jackson is made part of the record herein.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Hains

Subscribed and sworn to before me this 11 day of November, 1904.

Charles J. Young

Notary Public.

CR EN 853

CR EN 853

I.D.

Or En 822

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Ora
Crookett as a Creek Freedman.

.....DECISION.....

The record in this case shows that on September 1, 1904, Ora
Crookett appeared before the Commission to the Five Civilized Tribes
at Muskogee, Indian Territory, and made application for enrollment
as a Creek Freedman. Further proceedings were had December 29,
1905.

The evidence shows that said Ora Crookett was twenty-four
years old at the date of the application herein, that the name of
her father does not appear on the roll of Creek Freedmen made by
J. W. Dunn prior to March 14, 1867, and that no claim is made
that her mother is a citizen of the Creek Nation.
The evidence further shows that said Ora Crookett and her
father, or either of them, have never been enrolled as citizens
of the Creek Nation, nor have they, or either of them, ever been
admitted to citizenship in said Nation by the Creek Tribal Authori-
ties, the Commission to the Five Civilized Tribes, or the United
States Court in Indian Territory.

It is, therefore, ordered and adjudged that there is no
authority of law for the enrollment of said Ora Crookett as a Creek
Freedman, and the application for her enrollment as such is accord-
ingly denied.

Commissioner.

Muskogee, Indian Territory.

MAR 12 1906

I.D.

Or En 822

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Ora
Grookett as a Creek Freedman.

SUPPLEMENTAL STATEMENT.

Roll of Creek Freedmen made by J. W. Dunn prior to March
14, 1867, examined, and the name of Charley Grookett is not found
thereon.
Tribal rolls of the Creek Nation in the possession of this
Office examined, and the name of the applicant herein, or of her
father, Charley Grookett, is not found on any of said rolls.
Record of the proceedings of the Colbert Commission in the
possession of this Office examined, and it does not appear that
application was made to said Commission for the admission of the
applicant herein, or of her said father, to citizenship in the
Creek Nation.
Record of the proceedings of the Commission to the Five
Civilized Tribes under the provisions of the act of Congress of
June 10, 1896 (29 Stat., 321) examined, and it does not appear
that application was made to said Commission for the admission
of the applicant herein, or of her said father, to citizenship
in the Creek Nation.

Commissioner.

Waukegan, Indian Territory,
December 29, 1906.

Gr. No. 828.

Muskogee, Indian Territory, November 12, 1906.

M. L. Nott,

Attorney for Creek Nation,
Muskogee, Indian Territory.

Sir:

You are hereby advised that the Department under date of October 30, 1906, affirmed the decision of the Commissioner to the Five Civilized Tribes, dated March 12, 1906, denying the application for the enrollment of Ora Crockett, as a Creek

Freedman.

Respectfully,

Commissioner.

W

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES

| |
|-----------------------------------|
| PLEASE IN REPLY TO THE FOLLOWING: |
| Cr. No. 822. |

Muskogee, Indian Territory, November 12, 1906.

Ora Crockett,

Muskogee, Indian Territory.

Dear Madam:

You are hereby advised that the Department under date of October 20, 1906, affirmed the decision of the Commissioner to the Five Civilized Tribes, dated March 12, 1906, denying the application for the enrollment of yourself as a Creek Freedman.

Respectfully,



Commissioner.

In view of the record and of section 3 of the act of April 26, 1906 (34 Stat., 137), which limits the privilege of enrollment, as Greek Freedmen, to such persons ^{as} were enrolled by J.W. Dunn, prior to March 14, 1867, and their descendants born since such roll was made, and those lawfully admitted to citizenship in the Creek Nation subsequent to the date of the preparation of that roll, and their descendants born since such admission, except any who had previous to April 26, 1906, been enrolled and their enrollment approved by the Secretary of the Interior. One Crockett does not come within either of these classes and I accordingly recommend that the decision of the Commissioner be approved.

Very respectfully,
C. F. Larabee,
Acting Commissioner.

HRD-BHG.

Refer in reply to the following:
Land: 23946-1906.
DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON October 22, 1906.

The Honorable,
The Secretary of the Interior.

Sir:

There is enclosed herewith a report from the Commissioner to the Five Civilized Tribes, dated March 12, 1906, transmitting the record ~~the record~~ relative to the application of Ora Crockett as a Creek Freedman.

On September 1, 1904, Ora Crockett made application for enrollment as a Creek Freedman before the Commission at Muskogee, Indian Territory. Further proceedings were had in reference to this application on December 29, 1905. The Commission held that there was no authority of law for the enrollment of the applicant and her application was therefore denied.

The record shows that Ora Crockett was 24 years of age at the date of the application and that the name of her father does not appear on the roll of Creek freedmen made by J.W. Dunn prior to March 14, 1867, and that no claim is made that her mother is a citizen of the Creek Nation. The record further shows that Ora Crockett and her father have never been enrolled as citizens of the Creek Nation nor have they, or either of them, been admitted to citizenship in this Nation by the Creek tribal authorities or by the Commission, or by the U.S. Courts of the Indian Territory.

1 inc. and 2 to Ind. Of.
of Indian Affairs.
Through the Commissioner

Secretary.
E.A. Hitchcock,

Respectfully,

files of the Indian Office.

The papers in the matter have been returned for the

decision is hereby affirmed.

The Department concurs in said recommendation, and your

copy of its letter is inclosed.

the Indian Office recommended that your decision be approved. A

Reporting in the matter October 22, 1906 (Land 23946)

March 12, 1906, adverse to the applicant.

Ors Crockett as a Creek Freedman, including your decision dated
record in the matter of the application for the enrollment of

March 13, 1906, the acting Commissioner transmitted the

Sir:

Muskogee, Indian Territory.

Commissioner to the Five Civilized Tribes,

WASHINGTON, October 30, 1906.

DEPARTMENT OF THE INTERIOR,

LRS.
LLB
JP. Jr.

I.T.D. 21214-1906.

8.20.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

| |
|----------------------------------|
| REPLY IN REPLY TO THE FOLLOWING: |
| OK 823 |

Muskogee, Indian Territory, September 26, 1905.

Or Crockett.

Muskogee, Indian Territory.

Dear Madam:

Further evidence is desired in the matter of the application

for your enrollment as a Creek Freedman.

You are hereby notified that you will be allowed twenty days

from date within which to appear before the Commissioner to the

Five Civilized Tribes, at Muskogee, Indian Territory, for the

purpose of being examined under oath.

Respectfully,


Commissioner.

Register.

4515
ORDER IN REPLY TO THE FOLLOWING:
OF NO 812

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

COMMISSIONERS:
TAMM BIXBY,
THOMAS H. HERRICK,
C. R. BRECKINRIDGE,
WM. O. BRALL,
Secretary.

COMMISSION TO THE FIVE CIVILIZED TRIBES
ADDRESS ONLY THE

Muskogee, Indian Territory, May 19, 1906.

Ors Crockett.

Muskogee, Indian Territory.

Dear Madam:

September 1, 1904, you appeared before the Commission and made application for enrollment as a Creek Freedman. At the conclusion of the evidence then offered, the case was continued. You are hereby notified that you will be allowed thirty days from date to introduce additional evidence in your case, and in the event that no additional evidence is offered within the time mentioned, the case will be adjudicated upon the record now before the Commission.

Respectfully,



Chairman.

Register.

Or. Bu. 822

Waukegan, Indian Territory, March 12, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Ora Greckett as a Creek Freedman, including the decision of the Commissioner to the Five Civilized Tribes, dated

March 12, 1906.

Respectfully,

Acting Commissioner.

Through the
Commissioner of Indian Affairs.

822-2

Dr. Mr. 822

Muskogee, Indian Territory, March 12, 1906.

M. L. Motz,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Ora Crockett as a Creek Freedman.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Wm. O. Bell.

Acting Commissioner.

822-2

Dr. H. H. 822

Washington, Indian Territory, March 12, 1906.

Dr. H. H. 822

Washington, Indian Territory.

Dear Madam:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of your application for enrollment as a Creek freedman, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Very truly,
Acting Commissioner

822-1

676

| |
|---------|
| NO. 822 |
|---------|

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COMMISSIONERS:
JAMES H. HENRY,
THOMAS E. HENRY,
C. E. HENRY,
W. O. HENRY,
Secretary.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
ADDRESS ONLY THE

Muskogee, Indian Territory, November 23, 1904.

Ors Crockett,

Muskogee, Indian Territory.

Dear Madam:

September 1, 1904, you appeared before the Commission and made application for enrollment as a Creek Freedman. At the conclusion of the evidence then offered, the case was continued.

You are hereby notified that you will be allowed thirty days from date hereof within which to introduce additional evidence, and, in the event that no further evidence is offered within the time mentioned, the case will be adjudicated upon the record now before the Commission.

Respectfully,

Chairman.

Register.

CR EN 855

CR EN 855

CARD NO. 2222
FIELD NO. 2222

Roll Creek Nation

Post Office: *Indian Creek*
Residence: *Indian Creek*

| Dawes' Roll No. | NAME | Relation to Person first Named | AGE | SEX | BLOOD | TRIBAL ENROLLMENT | | | TRIBAL ENROLLMENT OF PARENTS | | |
|-----------------|--------------|--------------------------------|-----|-----|-------|-------------------|---------------------|-----|------------------------------|----------------|----------------|
| | | | | | | Year | District | No. | Year | Name of Father | Name of Mother |
| 1 | <i>Lucas</i> | | 40 | M | | 1892 | <i>Indian Creek</i> | 140 | | <i>Beckman</i> | <i>Beckman</i> |
| 2 | | | | | | | | | | | |
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Indian Creek

May 23, 1901

STW.

En. 821,
Cr. I. 2807-2933.

COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment of Lucinda Bearhead as a citizen by blood of the Creek Nation.

STATEMENT AND ORDER.

It appears from the records in the possession of this office that on May 22, 1901, the name of Lucinda Bearhead was listed for enrollment by the Commission to the Five Civilized Tribes on Creek Indian card, field No. 2807, the name of said person appearing upon the 1898 authenticated tribal roll of the Creek Nation, Creek Nation; which listing was done in order to preserve whatever rights said person might have as a citizen of the Creek Nation. The listing of the name of said person is considered in the nature of an original application for the enrollment of said person as a citizen by blood of the Creek Nation. Testimony was taken in this case on November 19, 22 and 28, 1904 and February 1, 1905.

The records in the possession of this office show that Lucinda Bearhead, whose name appears upon said Creek Indian card, field No. 2807, is one and the same person whose name appears upon Creek Indian card, field No. 2933, as "Lucinda".

While the evidence in this case does not establish the exact date of death of "Lucinda" (or Lucinda Bearhead), the weight of evidence shows that she died prior to April 1, 1899.

I am, therefore, of the opinion that the application for the enrollment of "Lucinda" (or Lucinda Bearhead) as a citizen of the Creek Nation should be dismissed, and it is so ordered.

COMMISSIONER.

Muskogee, Indian Territory,

Feb 28 1901

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
Mellotte, I. T., February 1, 1905.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Lucinda Bearhead as a citizen by blood of the Creek
Nation.
SAMPSON DAVIS, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Sampson Davis.
Q How old are you? A About thirty.
Q What is your post office address? A Mellotte.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Wuchassee.
Q Did you know Lucinda Bearhead? A Yes, sir.
Q What relation was she to you? A She was my wife.
Q To what town did she belong? A Tulsa Canadian.
Q When did she die? A She died towards the last of October but I
cannot remember the year. She died on Monday at 12 o'clock.
Q How many years do you think it has been since she died? A She
has been dead about seven years.
Q Do you remember when the \$14.00 Payment was made? A Yes, sir.
Q How long after that was it that Lucinda died? A It was about
two years after the payment.
Q Were you married to her when the Payment was made? A No, sir.
Q How long after the Payment until you married her? A About a year.
Q How long did you live together? A About two years. It was about
three years after the payment that she died instead of two.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Did your wife, Lucinda, die before or after the opening of the
Creek Land Office? A I think it was about the time the land office
opened that she died.
Q Had any one that you know made selection of land at the time she
died? A People were getting the numbers of their lands preparatory
to allotment, but I cannot recall any one who had made actual selec-
tion of land. I think Lucinda died about three months before people
began actual filing on their allotments.
Q Was there any record made of her death? A I think not.
Q Who preached her funeral sermon? A Peter Ewing I think.

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I, D. C. Skaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 8 day of February, 1905.

(Signature)
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Enid, I. T., November 28, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Lucinda Bearhead, deceased, as a citizenship blood of
the Creek Nation.

P. R. EWING, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A P. R. Ewing.
Q How old are you? A About forty-four.
Q What is your post office address? A Enid, I. T.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Hitchitee.
Q Did you know Lucinda Bearhead? A Yes, sir.
Q How long has she been dead? A More than ten years.
Q Do you remember the circumstance of the opening of the Creek
Land Office? A Yes, sir.
Q Did she die before or after the opening of the Creek Land Office?
A Before.
Q Are you positive of that? A Yes, sir, she had small children at
the time she died and those children are now nearly grown.
Q Was she the wife of Sampson Davis? A No, sir--Geopier Bearhead.
Q She was however at one time the wife of Sampson Davis before she
married Bearhead.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 5 day of November, 1904.

Edmond C. Skaggs
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Eufaula, I. T., November 25, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Lucinda Bearhead as a citizen by blood of the Creek
Nation.

ROBERT EVANS, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A Robert Evans.
Q How old are you? A About forty-two.
Q What is your post office address? A Eufaula.
Q Are you a citizen of the Creek Nation? A By marriage.
Q Did you know Lucinda Bearhead? A Yes, sir.
Q How long has she been dead? A About three years as well as I
recollect.
Q How close did you live to her at the time of her death? A About
a quarter of a mile.
Q Do you remember what year she died? A I can't tell you but I
have a bill of sale drawn that year but I have misplaced it.
Q What kind of a bill of sale was it? A It was just a bill of sale
on a piece of paper showing that the old lady had sold her title to
the improvements on a piece of land right over there.
Q Do you remember the circumstance of the opening of the Creek land
office? A Yes, sir.
Q Did she die before or after the opening of the land office?
She died after.
Q According to your best recollection how long after the opening of
the land office did she die? A I think it was about a year and
six months after the land office opened. I think it was six months
after the land office opened that I bought the place and it was a
year after that that she died.
Q You are positive then that she died after the land office opened?
A Yes, sir.
Q Do you know how old she was at the time of her death? A I have
no idea.
Q To what town did she belong? A She told me that she belonged to
Tulsa, Canadian.
Q Did you say you bought some improvements from Lucinda? A I
bought them from her mother and after her mother died I finished
making the payment to Lucinda.
Q You say it was six months after the land office opened before you
bought the improvements? A Yes, sir, and it was a year after I
bought the improvements that she died. Her husband was cutting timber
on some land that I had filed on and I told him to stop because I
had filed on the land and at that time she was living. I had the
certificate but didn't have the deed yet and I told him not to chop
any more of the mulberry timber.

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I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
examine on said date.

Subscribed and sworn to before me this 3 day of December, 1904.

D. C. Skaggs
Notary Public.

THOMPSON COLBERT, being duly sworn, testified as

follows:

Through Alex Posey Official Interpreter:

Q By Commission:
Q What is your name? A Thompson Colbert.
Q How old are you? A About forty-three.
Q What is your post office address? A Kalamia.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Wainona.
Q Did you know Lucinda Bearhead? A Yes, sir.
Q Was she ever known by any other name? A She was the wife of Sampson Davis at the time of her death.
Q How long has she been dead? A I do not know.
Q Do you remember the circumstance of the opening of the Creek Land Office? A Yes, sir.
Q Did she die before or after the opening of the land office? A She died after the opening of the land office.
Q How long after the opening of the land office did she die? A I cannot be positive but it was probably about a year after the opening of the land office.
Q What fixes it in your mind that she died after the opening of the land office? A I simply remember quite distinctly when the land office opened and that Lucinda was living.
Q Had any one filed upon his allotment in your neighborhood at the time she died? A Bill McGowan had filed on his land at the time she died I think, and I heard of many others who had made selection of land when she died.
Q Are you sure that Lucinda died after the opening of the land office? A Yes, sir.
Q What time of the year did Lucinda die? A In the fall of the year.
Q How long has it been since you made selection of land for yourself? A It has been about three years I think.
Q How long after Lucinda died did you file upon your allotment? A About a year I think.
Q What time of the year did you file? A In the winter.
Q Was it the winter following her death? A No, sir, it was the second winter after her death.
Q Was there any record of her death inscribed on the head-board of her grave? A Yes, sir, there was a record on the head-board of her grave but the head-board has rotted away.

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I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

Subscribed and sworn to before me this 3 day of December, 1904.

D. C. Skaggs
Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Rutland, I. T., November 25, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Lucinda Bearhead, deceased, as a citizen by blood of
the Creek Nation.

KILA GOLBERT, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Kila Golbert.
Q How old are you? A I am over thirty.
Q What is your post office address? A Rutland.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Tulsa, Canadian.
Q Did you know Lucinda Bearhead? A Yes, sir, she was my aunt.
Q How long has she been dead? A I do not know how long she has
been dead but I have a record of her death.

The witness presents, for the inspection of the Commission,
a piece of paper upon which appears some KILAK writing in the
Creek language, which is translated by the official interpreter
as follows:

"This is the record of the death of Lucinda Davis. She
died at 12 o'clock, October 24, in the year 1898."
This record is followed by an account of her last illness,
which is also written in the Creek language.

Q Who made this record? A I do not know who wrote the record but
it was made by some of the members of the Tuskegee Church.
Q How did you come in possession of the record? A The record was
turned over to me after her funeral was preached because I was a
relative of the deceased.
Q Was Lucinda Davis also known as Lucinda Bearhead? A Her maiden
name was Lucinda Bearhead. She was the daughter of Cooper Bearhead.
Q At the time of her death she was married to Sampson Davis and was
known as Lucinda Davis.
Q About how old was she at the time of her death? A I do not know
how old she was but she was older than I am.
Q According to your best recollection how long has she been dead? A
I do not know how long she has been dead.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Did she die before or after the opening of the Creek Land Office?
A She died after the opening of the land office.
Q What fixes it in your mind that she died after the opening of the
land office? A Because I remember that she died after William
Golbert had gone before the Commission and made selection of land for
his two grandchildren, Louisa Bearhead and Robert Bearhead.
Q How long after William Golbert made selection of land for these
two children did Lucinda die? A William Golbert made selection of
land for these two children in the winter time and Lucinda died the
next fall.
Q Where did Lucinda die? A She died at Hillabee. The remains were
brought here from there and buried in the neighborhood cemetery.
Q Are you positive that Lucinda died after the opening of the Creek
Land Office? A Yes, sir, I am very positive. The circumstances
which I just related fix it quite clearly in my mind that she died
sometime after the opening of the Creek Land Office.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T. NOV. 19, 1904.

No. 821

In the matter of the application for the enrollment of Inounda Bearhead as a citizen by blood of the Creek Nation.
Gibson James being duly sworn, testified as follows through Alex Posey, official interpreter:
Examination by the Commission:

Q What is your name? A Gibson James.
Q How old are you? A 34.
Q What is your post office address? A Hanna.
Q Are you a citizen of the Creek Nation? A Yes sir.
Q To what town do you belong? A Weogucke.
Q Do you know Inounda Bearhead? A Yes sir.
Q Is she living or dead? A Dead.
Q How long has she been dead? A She died near the Tuskegee Church House; 7 or 8 miles west of Eufaula but I don't remember the date of her death.
Q According to your best recollection, how long do you think she has been dead? A I knew the woman very well but she had been dead a good while before I heard about it; I don't know how long.
Q How many years do you think she has been dead? A I don't know.
Q How long have you known her to be dead? When did you hear she died? A She died after the section lines were established.
Q How long after? A I don't know.
Q Have you any interest in this case? A No sir; no relation of mine; I have no interest in the matter at all.
Q What town did she belong to? A Tulsa Canadian.
Q Do you know of anybody who would know the date of her death? A Thompson Gilbert would probably know when she died.
Q Where does he live? A Near the Tuskegee church; Eufaula is his post-office.

Henry G. Hains being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Hains

Subscribed and sworn to before me this 19th day of November, 1904.

Notary Public

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
WASHINGTON, D.C. Nov. 19, 1904.

En. 821

In the matter of the application for the enrollment of Lucinda Bearhead as a citizen by blood of the Creek Nation.

Gibson James being duly sworn, testified as follows through Alex Posey, official interpreter:

Examination by the Commission:

Q What is your name? A Gibson James.
Q How old are you? A 34.
Q What is your post office address? A Yanna.
Q Are you a citizen of the Creek Nation? A Yes sir.
Q To what town do you belong? A Weotuke.
Q Do you know Lucinda Bearhead? A Yes sir.
Q Is she living or dead? A Dead.
Q How long has she been dead? A She died near the Tuskegee Church.
House? or 8 miles West of Eufaula but I don't remember the date of her death.
Q According to your best recollection, how long do you think she has been dead? A I knew the woman very well but she had been dead a while before I heard about it; I don't know how long.
Q How many years do you think she has been dead? A I don't know.
Q How long have you known her to be dead? When did you hear she died? A She died after the section lines were established.
Q How long after? A I don't know.
Q Have you any interest in this case? A No sir; no relation of mine; I have no interest in the matter at all.
Q What town did she belong to? A Tulsa Canadian.
Q Do you know of anybody who would know the date of her death? A Thomas Colbert would probably know when she died.
Q Where does he live? A Near the Tuskegee church; Eufaula in his post-office.

Henry G. Wain being sworn on his oath states that as stenographer to the Commission to the Five Civilized Tribes he reported the above case and that this is a full, true and correct transcript of his stenographic notes in same.

Henry G. Wain

Subscribed and sworn to before me this 19th day of November, 1904.

Wain

Notary Public.

5897
C. 2200.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Omnibus, I. T., October 12, 1904.

SUPPLEMENTAL TESTIMONY in the matter of the application for the
enrollment of Lucinda Bearhead as a citizen by blood of the Creek
Nation.

LEWIS DEER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

Q By Commission:
Q What is your name? A Lewis Deer.
Q What is your age? A Thirty-three.
Q What is your post office address? A Butavia.
Q Are you the Town King of Tulsa Canadian Town? A Yes, sir.
Q Do you know Lucinda Bearhead? A Yes, sir.
Q She is dead is she? A Yes, sir.
Q How long has she been dead? A I don't know exactly. About four
years ago.
Q She was living when the land office opened was she? A Yes, sir.
Q What was the name of her husband? A Cooper Bearhead.
Q What town did Cooper Bearhead belong to? A I don't know.
Q Was Lucinda a full-blood Creek Indian? A Yes, sir.
Q About how old was she when she died? A About thirty or thirty-
three. I don't know how old she was.
Q Do you know whether land was filed for her or not? A No, sir.

-----0:-----

I, D. C. Black, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
examine on said date.

[Signature]

Subscribed and sworn to before me this 14 day of Nov., 1904.

[Signature]
Notary Public

CR EN 831

CR EN 831

1907. Muskogee, Indian Territory, 1/2

Commissioner to the Five
Civilized Tribes,

Muskogee, Indian Territory.

Sir:

The Creek Nation hereby wishes to state in this case,
reserving to itself, however, the right to attack the enrollment
of this person if after investigation it is found that said
enrollment was obtained upon fraudulent evidence.

Respectfully,


Creek National Attorney.

cerning his death, and their testimony is to the effect that he died subsequent to April 1, 1899. On the other hand, the testimony of Mose Anderson indicates that he had in mind probably the father of the applicant herein, and the testimony of Wiley Buckner and Dick Herrod is silent on the question of identification.

The weight of the evidence and the records in the possession of this office establish the fact that the applicant, Thomas Anderson, deceased, is the son of Thomas Anderson, a deceased citizen of the Creek Nation, and Jomona Chief, a citizen by blood of the Chickasaw Nation, whose name appears upon a partial schedule of citizens by blood of the Chickasaw Nation, approved by the Secretary of the Interior December 12, 1902, opposite No. 3979; that he has never been an applicant for citizenship in the Chickasaw Nation; that he was living and a resident of the Creek Nation on April 1, 1899, and that he died subsequent to that date. The Act of Congress approved June 28, 1898 (30 Stat., 1. 495), provides in part as follows:

"The several tribes may, by agreement, determine the right of persons who for any reason may claim citizenship in two or more tribes, and to allotment of lands and distribution of moneys belonging to each tribe; but if no such agreement be made, then such claimant shall be entitled to such rights in one tribe only, and may elect in which tribe he will take such right; but if he fail or refuse to make such selection in due time, he shall be enrolled in the tribe with whom he has resided, and there be given such allotment and distributions, and not elsewhere."

I am, therefore of the opinion that the applicant, Thomas Anderson, deceased, is entitled to be enrolled as a citizen by blood of the Creek Nation, under the provisions of the Acts of Congress approved June 28, 1898 (30 Stat., 495) and March 1, 1901 (31 Stat., 861), and his application for enrollment as such is accordingly granted.

COMMISSIONER.

Muskogee, Indian Territory.

JAN 26 1907

COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

In the matter of the application for the enrollment
of Thomas Anderson, deceased, as a citizen by blood of the
Greek Nation.

D E C I S I O N .

The record in this case shows that on December 13, 1901, application was made, in affidavit form, by Lina Richardson, for the enrollment of her brother, Thomas Anderson, deceased, as a citizen by blood of the Greek Nation. Further proceedings were had on October 31, December 8, and December 20, 1904, and March 22, August 8, November 10, and November 14, 1905. A copy of the testimony taken in the matter of the application for the enrollment of Lina Anderson, and her two minor children, Lina Anderson and Lottie Anderson, as citizens of the Chickasaw Nation, is attached to and made a part of the record herein. The records in the possession of this office show that upon the 1890 authenticated tribal roll of the Greek Nation, in Okchive town, appear the names of Thos. Anderson, Willie Anderson, Mose Anderson and Alec Perryman, in one family group, and numbered one, two, three and four respectively; the records further show that upon the same roll, standing alone, appears the name of Thos. Anderson, and immediately following this name appears the following names in a family group: Thomas Anderson, Lina and Lottie, and numbered one, two and three respectively. It also appears from the records in the possession of this office that the Lina, on the aforesaid roll, is the same person as the Lina Richardson, by whom application was made for the enrollment of Thomas Anderson, deceased, and that she, together with her sister Lottie Anderson, appears upon a partial roll of citizens by blood of the Greek Nation, approved by the Secretary of the Interior November 14, 1902, opposite numbers 9074 and 9075 respectively. Upon the 1895 authenticated roll of the Greek Nation, in Okchive town, appears in a family group, the following names: Thomas Anderson, Lina Anderson, Lottie Anderson and Tom Anderson, numbered one, two, three and four respectively. A consideration of the testimony in this case, raises the inference that the different witnesses are confused as to which Thomas Anderson is the party applicant in this case. It would appear, however, that Nancy Anderson, Billy Carline, and Jim Chief had the brother of Lina Richardson, the applicant in this case, clearly in mind when they testified con-

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

REPLY TO THE FOLLOWING
EX-650

Muskogee, Indian Territory, January 4, 1906.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

There is enclosed herewith testimony taken November 10 and
November 14, 1905, in the matter of the application for the en-
rollment of Thomas Anderson (deceased) as a citizen by blood of
the Creek Nation, together with copies of testimony heretofore
taken and other papers in connection with said case.
I am unable to obtain further evidence in said case.
Ambrose Bryant, who, it is claimed, has a record of the death of
said Thomas Anderson (deceased), has removed from the country and
his whereabouts cannot be ascertained.
Respectfully,

Clerk in Charge, Creek Field Party.

JYM-4-5

EXHIBIT

| | |
|------------------------------|------------|
| COMMISSIONER OF THE DISTRICT | |
| No. | 250 |
| Received | JAN 4 1906 |

Jan. 4, 1906.
Chicago, I. T.
Alex. Ross.

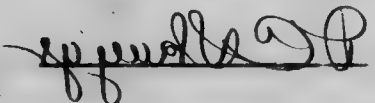
Transmit a testimony in re
application for enrollment
of Thomas Anderson,
deceased.

CHIEF OF BUREAU

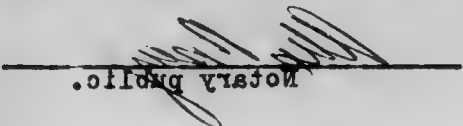
Q How old are you? A About twenty-eight.
 Q What is your post office address? A Holdenville.
 Q Are you a citizen of the Creek Nation? A Yes, sir.
 Q To what town do you belong? A Eufaula Deep Fork.
 Q Did you know Thomas Anderson? A Yes, sir.
 Q What relation was he to you? A Half brother. One father.
 Q What was his father's name? A Tommie Thlocco or Thomas Anderson.
 Q His mother was Louina, a Chickasaw woman. She is now the wife of
 Jim Chief.
 Q What was your mother's name? A Celie, of the Eufaula Deep Fork
 Town.
 Q Do you know when Thomas Anderson died? A I do not know but I
 think he died about six years ago.
 Q Do you remember the circumstances of the opening of the Creek Land
 Office? A Yes, sir.
 Q Did he die before or after the opening of the Creek Land Office?
 A People had been filling upon their allotments sometime before he
 died.
 Q Are you positive that he died after the land office opened? A
 Yes, sir.
 Q Did he have any other brothers and sisters? A Yes, sir. Two
 sisters, Lina and Lottie Anderson, who are now both dead. Thomas
 was named for his father and I have a child named Thomas. My child
 is enrolled as a member of Tulsa Little River Town. I understand
 that my father has been enrolled and given an allotment of land. If
 this is true he was not entitled to an allotment for he has been dead
 about fifteen years. I have been advised by John Gost, my Town King,
 to return the deeds issued to him, if I have them, but I have no
 record of his having been given an allotment of land and if he has
 been allotted I do not know who filed for him.

---00000000---

I, D. C. Skaggs, on oath state that the above and foregoing is a
 full and true transcript of my stenographic notes as taken in said
 cause on said date.



Subscribed and sworn to before me this 8 day of January, 1906.


 Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Bearden, I. T., November 14, 1906.

In the matter of the application for the enrollment of Thomas Anderson, deceased, as a citizen by blood of the Creek Nation.

JIM CHIEF, being duly sworn, testified as follows:

BY THE COMMISSIONER:

Q What is your name? A Jim Chief.
Q How old are you? A I reckon I am about between 50 and 60 years old. Can't tell how old I am.
Q What is your post office address? A Bearden.
Q Are you a citizen of the Creek Nation? A I am a Choctaw. I got forty acres there. Used to belong to Chickasaw.
Q To what county in the Choctaw Nation do you belong? A Atoka.
Q Did you know Thomas Anderson? A I partly raised him. He was my step-son.
Q Do you know when he died? A I was right there. He died about six years ago.
Q Do you know in what month? A I think along in February. Just about six or seven years since he died. Ambros Bryant would tell you.
Q Where does Ambros Bryant live? A He lives up to Padon.
Q Was he present when Thomas died? A Yes, sir. He furnished the coffin and the burial clothes.
Q Was there any record made of the death of Thomas Anderson? A I told Ambros Bryant to look it down. He sent my word what time of the year he died but I don't recall it. I can't tell anything been so long.
Q How old was Thomas Anderson when he died? A I think he was about twenty.
Q Was he a full-blood? A Yes, sir.
Q Was he a citizen of the Creek Nation? A Yes, sir. His daddy was a Creek.
Q What was his father's name? A His English name was Tom Anderson. The Indians named him Tommie Thlocco.
Q Was he a full blood? A Yes, sir.
Q To what town did he belong? A Wish Pond or Okchive. He is dead long ago.
Q Who is Thomas Anderson's mother? A Louisa Chief, my wife.
Q Was Louisa the wife of Tom Anderson or Tommie Thlocco? A Yes, sir.
Q Did she have any other children by him? A Two girls, both of them died.
Q What were their names? A The oldest one Lina Anderson and the youngest one Lottie Anderson.
Q Was Lina Anderson also known as Lina Richardson? A Yes, sir, after she married Sol Richardson, before that Lina Anderson.
Q Is Louisa Chief a citizen of the Creek Nation? A No, a Chickasaw. Belong in Atoka County. Got her land down there.
Q Is she a full-blood? A Yes, sir.
Q Is she enrolled as Louisa Chief? A Yes, sir.
Q Do you remember the circumstance of the opening of the Creek Land Office? A I don't remember it. I am a poor hand to remember. Don't know what time of the year.
Q Did Thomas Anderson die before or after the opening of the Creek Land Office? A After.
Q Does your wife, Louisa, know when he died? A No, she can't remember.

BILLY ANDERSON, being duly sworn, testified as follows:

BY THE COMMISSIONER:
Q What is your name? A Billy Anderson.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES
Bearden, I. T., November 10, 1906.

En. 820

In the matter of the application for the enrollment of Thomas Anderson, deceased, as a citizen by blood of the Creek Nation.

BILLY CARLINA, being duly sworn, testified as follows:

BY THE COMMISSIONER:

Q What is your name? A Billy Carlina.
Q How old are you? A About seventy or seventy-five.
Q What is your post office address? A Bearden.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A North Fork.
Q Did you know Thomas Anderson? A Yes, sir.
Q Was he a citizen of the Creek Nation? A No, sir, he belonged to the Chickasaw Nation but they had filed him here.
Q Who was his mother? A She was a Chickasaw woman. Old man Jim Chief's got her.
Q Who was his father? A I don't know.
Q Do you know whether his father was a citizen of the Creek Nation? A He was not a citizen. He has a half sister who took land here and she is no citizen.
Q Do you know when he died? A It has not been more than four or five years since he died up here.
Q Did he have any brothers or sisters? A Yes, sir, he had two sisters. They both died. One died last winter. They filed her up there.
Q What was the name of the others? A The youngest sister was named Lottie and the other named Lily.
Q Both are dead are they? A Yes, sir, but they had filed them here in this nation.
Q Were you present when Thomas died? A No, sir, but I helped bury him.
Q Do you know whether he died before or after the land office opened? A Yes, sir. The land office had been opened a long time before any of them died.
Q How old was Thomas at the time he died? A I couldn't tell you exactly whether he was near about thirty or twenty-five. I wasn't very well acquainted with him.

-----0000000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said cause on said date.

D. C. Skaggs

Subscribed and sworn to before me this 2 day of January, 1906.

[Signature]
Notary Public.

A. P. E.

Richardson elect whether said Thomas Anderson should be enrolled
as a citizen of the Greek Nation or as a citizen of the Oklahoma
Nation, in case it should appear that he is entitled to enrollment
in either of said Nations.

Respectfully,

Commissioner.

17K-26-1

4.22.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

REPLY IN REPLY TO THE FOLLOWING:
CT No 820

Kuskoge, Indian Territory, September 26, 1905.

Alex Posey.

Clerk in Charge, Creek Enrollment Field Party.

Enid, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the testimony in the

matter of the application for the enrollment of Thomas Anderson

(deceased) as a citizen by blood of the Creek Nation.

On the 1890 authenticated tribal roll of the Creek Nation

appears the name Thomas Anderson, and on the same roll, immediately

following the name Thomas Anderson, the following family appears:

1. Thomas Anderson
2. Line
3. Lottey.

The "Line" on the roll is identified as the Lena Richardson

by whom the application for the enrollment of Thomas Anderson was

made.

It appears from the testimony that some of the witnesses had

in mind one Thomas Anderson and some, the other.

You are directed to secure, if possible, the testimony of

Lena Richardson in this case as to the exact date of the death of

her father, Thomas Anderson (deceased). You will also have Lena

I, Anna Gertrude, on oath state that the above and foregoing is a true and correct copy of my stenographic notes taken in said cause on said date.

Anna Gertrude

Notary Public.

Subscribed and sworn to before me
this 10th day of August 1905.

DEPARTMENT OF THE INTERIOR
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
Waukegan, Indian Territory, August 8, 1905.

In the matter of the application for the enrollment of
Thomas Anderson, deceased, as a citizen by blood of the Creek
Nation.

Nancy Anderson, being duly sworn, testified as follows
through Jesse McDermott official interpreter.

By Commissioner.

Q Do you know a man named Thomas Anderson? A Yes, sir.
Q Is he living? A No, dead.
Q When did he die? A About three years ago.
Q Was he enrolled by the Commission? A I was told that they
had selected an allotment
Q Got a deed for it do you know? A I was told so.
Q What was the name of the father of Thomas Anderson? A His name
was Thomas
Q What was the name of the mother of Thomas Anderson? A Lowiney.
Q Were you any kin to Thomas Anderson? A I am his sister.
Q To what town did Thomas Anderson belong? A He was a Chickasaw
Indian, Fish Pond town. Drew both payments in the Creek Nation.
Q A man named David Herrod testified that Thomas Anderson,
Okfuskee town died in 1896 or 1897? A That is not the one
Q Do you know more Andersons? A Yes, sir.
Q He said this boy died before the land office opened, that is
five or six years ago? A I don't know just how long he has been
dead.
Q Robert Bruner said he was acquainted with Thomas Anderson
who belonged to Fish Pond town, he said he died in 1897 or 1898
is that right? A That wasn't true. He lived a good while after
my father died.
Q When did your father die? A It has been about seven years.
Q Did your father die before the Creek Land Office opened? A Yes,
sir
Q How long before? A It must have been nearly four years
Q Did this Thomas Anderson die before the Creek Land Office
opened? A Yes, sir.
Q Are you sure of that? A Yes, sir.
Q Were you present when he died? A No, sir. He died up on North
Fork, we heard that he was dead.
Q Do you remember how long since the land office opened? A No, sir.
Q What season of the year did he die? A I don't know, they lived
a good ways from us.
Q We have here affidavits of Lina Richardson and Tecumseh McCoy
do you know if they knew anything about the date of his death?
A I don't know
Q Lina Richardson said she was his sister do you know if that is
true? A That is right
Q But still you don't know Lina Richardson? I know Lina
Q Do you know whether Lina was present when Thomas died?
A I suppose so, they were living together when he died
Q Where was that? A I was told they lived up on North Fork.
Their mother still lives there. Thomas, Lina and Lottie their
mother was a Chickasaw while my mother was a Creek
Q Thomas Anderson died before the land office opened? A He died
since the land office opened. Old Tom died before and young
Tom after

Ex. 800.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Dustin, I. T., March 22, 1905.

In the matter of the application for the enrollment of Thomas
Anderson, deceased, as a citizen by blood of the Creek Nation.
ROBERT BRUNER, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

BY COMMISSIONER:
Q What is your name? A Robert Bruner.
Q How old are you? A About forty.
Q What is your post office address? A Carson.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A "Mimachunsee."
Q Were you acquainted with Thomas Anderson? A Yes, sir.
Q To what town did he belong? A Piqua.
Q Do you know when he died? A I am unable to give you the exact
date of his death but he died in either 1897 or 1898.
Q Was he a neighbor of yours at the time of his death? A Yes, sir.
Q Were you present when he died? A No, sir, but I saw him after
he died.
Q Do you remember the circumstances of the opening of the Creek Land
Office? A Yes, sir.
Q Did he die before or after the opening of the Creek Land Office?
A He died before.
Q Are you positive? A Yes, sir.

-----0000000000-----

I, D. C. Shags, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.
Subscribed and sworn to before me this 13th day of May, 1905.
[Signature]
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskegee, I. T., December 20, 1904.

In the matter of the application for the enrollment of Thomas
Anderson, deceased, as a citizen by blood of the Creek Nation.
MOSE ANDERSON, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

BY COMMISSION:
Q What is your name? A Mose Anderson.
Q How old are you? A I was a young man before the Civil War.
Q What is your post office address? A Calvin.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Okchive.
Q Did you know Thomas Anderson? A Yes, sir.
Q What relation was he to you? A My full brother.
Q How long has he been dead? A He has been dead about five years.
Q Do you remember the circumstance of the opening of the Creek Land
Office? A Yes, sir.
Q Did he die before or after the opening of the Creek Land Office?
A People had begun filling upon their allotments before he died but
a great many were backward about coming and taking their allotments.
Q According to your best recollection how long was it after the land
office opened that he died? A He died late in the fall of the year
the land office opened--it was getting cold weather--perhaps about
the first of November.
Q Were you present at his death? A I was present at his death and
buried him.
Q Do you know of any one in your neighborhood who had made selection
of land when he died? A The Town Officers in my neighborhood advised
the people not to go before the Commission and make selection of land
and I cannot recall any one who had made selection of land at the
time he died but people living in the vicinity of Eufaula and other
places east in the Creek Nation were filling upon their allotments.
Q Are you positive that he died after the land office opened? A
Yes, sir.
Q How old was he at the time of his death? A He was an older man
than I am.
Q Was he married at the time of his death? A Yes, sir.
Q Did he have any children? A He had three children. Two of his
children are living with me--I mean that he had three small children
at the time of his death and five grown children--all of whom are
living.

---00000000---

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 20 day of December, 1904.
D. C. Skaggs
Notary Public.

EX
En. 820.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE RIVE CIVILIZED TRIBES.
Calvin, I. T., December 8, 1904.

In the matter of the application for the enrollment of Thomas
Anderson, deceased, as a citizen by blood of the Creek Nation.
DAVID HERROD, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

BY COMMISSIONER:
Q What is your name? A David Herrod.
Q How old are you? A Forty-four.
Q What is your post office address? A Calvin.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Turlock.
Q Did you know Thomas Anderson? A Yes, sir.
Q Was he a member of your town? A No, sir, he was a member of
Okmulgee.
Q How long has he been dead? A I do not know how long he has been
dead--it has been a long time.
Q Do you remember the circumstance of the opening of the Creek land
office? A Yes, sir.
Q Did he die before or after the opening of the land office? A He
died before the land office opened.
Q How long before? A He died in either 1896 or 1897.
Q You are positive of that? A Yes, sir.
Q Were you present at his death? A I was present at his burial.

-----00000000-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 20 day of December, 1904.

Robert J. Skaggs
Notary Public.

A. 4.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklmulgee, I. T., October 31, 1904.


In the matter of the application for the enrollment of Thomas
Anderson, deceased, as a citizen by blood of the Creek Nation.
WILEY BUCKNER, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

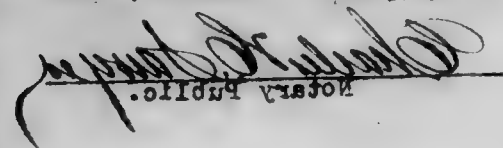
By Commission:
Q What is your name? A Wiley Buckner.
Q How old are you? A About forty-five.
Q What is your post office address? A Hannah.
Q Are you town King of Okmulgee town? A Yes, sir.
Q Did you know Thomas Anderson? A Yes, sir.
Q Is he living or dead? A Dead.
Q How long has he been dead? A About six years or more.
Q Was he a brother of Lina Richardson? A I cannot say as to that.
Q Was he a member of your town? A Yes, sir.
Q Did Thomas Anderson die before the Creek Land Office opened? A
I am quite positive he died before the land office opened.
Q Do you remember what time of the year it was that he died? A I
do not know. He died over at Calvin, some distance from me.
Q How long have you been town King? A Only town King during Porter's
second administration. I served in the House of Warriors four years.

-----0:-----

I, D. C. Sparks, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.



Subscribed and sworn to before me this 5 day of November, 1904.


Notary Public.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Thomas Anderson
(Here insert name of deceased.)
a citizen of the United States
Here insert name of postoffice.
Ind. Ter., and died on the 7th day of December, 1900.
NATION, who formerly resided at or near
that my postoffice address is Stanton
Years of age and a citizen, by James Anderson
of the United States
on oath state that I am 23
NATION;
that I am James Anderson
Ind. Ter.; that I am United States
NATION
who was a citizen, by James Anderson
of the United States
and that said Thomas Anderson
(Here insert name of deceased.)
died on the 7th day of December, 1900.
Witnesses to Mark:
James Anderson
James Anderson

(Must Be Two Witnesses.)
Subscribed and sworn to before me this 13th day of December, 1901.
(Signed) William J. Martin
Notary Public.

STATE OF ACQUAINTANCE.
UNITED STATES OF AMERICA, INDIAN TERRITORY,
District of Stanton
I, James Anderson, on oath state that I am 23
years of age, and a citizen by United States
that my postoffice address is Stanton
(Here insert name of postoffice.)
Ind. Ter., and died on the 7th day of December, 1900.
that I was personally acquainted with Thomas Anderson
(Here insert name of deceased.)
NATION;
who was a citizen, by James Anderson
of the United States
and that said Thomas Anderson
(Here insert name of deceased.)
died on the 7th day of December, 1900.
Witnesses to Mark:
James Anderson
James Anderson

(Must Be Two Witnesses.)
Subscribed and sworn to before me this 13th day of December, 1901.
(Signed) William J. Martin
Notary Public.

IN RE
THE DEATH OF

a citizen of the

Nation.

190

Approved

Commissioner

Notary Public

[Handwritten signature]

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of *Thomas Anderson*
(Here insert name of deceased.)
a citizen of the *Creek*
Nation, who formerly resided at or near
Idoc
(Here insert name of post office.)
and died on the *15* day of *February*,
Ind. Ter.,

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of *Eastern*
I, *John Richardson*
on oath state that I am *32*
years of age and a citizen, by *blood* of the *Creek* Nation;
that my post office address is *Idoc*
(Here insert name of post office.)
of *Thomas Anderson*
(Here insert name of deceased.)
who was a citizen, by *blood* of the *Creek* Nation;
and that said *Thomas Anderson*
(Here insert name of deceased.)
died on the *15* day of *February*,
Idoc
Witnessed to make:
John Richardson
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
District of *Eastern*
I, *John Richardson*
on oath state that I am *32*
years of age, and a citizen, by *blood* of the *Creek* Nation;
that my post office address is *Idoc*
(Here insert name of post office.)
that I was personally acquainted with *Thomas Anderson*
(Here insert name of deceased.)
who was a citizen, by *blood* of the *Creek* Nation;
and that said *Thomas Anderson*
(Here insert name of deceased.)
died on the *15* day of *February*,
Idoc
Witnessed to make:
John Richardson
Notary Public.

4

IN RE
THE DEATH OF

Thomas Anderson

a citizen of the

Nation.

Creek

I

Approved

Commissioner.

*On 12-2-1901 #138 of the
Baker Creek Band #244*

COMMISSION TO THE FIVE CIVILIZED TRIBES,
DEPARTMENT OF THE INTERIOR.

FILED

Dec 1901

ACTING CHAIRMAN.

57

DA. 4.
Muskegon, Indian Territory September 14, 1904.

C. T. Lindblom,
Okemah, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of September 12, relative to the allotment of Thomas Anderson, deceased brother of Lina Richardson, who is a citizen by blood of the Creek Nation. In reply you are advised that Thomas Anderson, the deceased brother of Lina Richardson, has not been enrolled as a citizen of the Creek Nation. Therefore, no allotment selection has been made for the heirs of said Thomas Anderson. You are further advised that on January 7, and February 27, 1904, the Commission notified said Lina Richardson, by letter, that she would be required to appear before the Commission at its office in Muskegon, Indian Territory, with two witnesses who know the date of the death of said Thomas Anderson, for the purpose of being examined under oath.

Respectfully,

Chairman.

ORC

D.A. 4.

Muskogee, Indian Territory, February 27, 1904.

John Richardson,

Bearden, Indian Territory.

Dear Madam:

The Commission is in receipt of your letter relative to the death of your brother, name not given. You request to be advised

as to who the witnesses must consist of.

The Commission wishes you heretofore relative to the date of the death of your brother, Thomas Anderson, and it is considered that he is the person concerning whom your letter was written.

In reply you are advised that the witnesses may be the father or mother, or both. The Commission desires that witnesses who know the date of the death of said Thomas Anderson appear and submit testimony. The witnesses may, or may not be, relatives of the deceased, but it is necessary that they should know the facts in the

case.

Respectfully,

Commissioner in Charge.

848

D. C. A.

Muskogee, Indian Territory, January 7, 1904.

Lina Richardson,

Wentworth, Indian Territory.

Dear Madam:

There is on file with the Commission an affidavit executed by you relative to the death of your brother, Thomas Anderson, who,

it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is desired that further evidence be submitted in the case.

You are therefore required to appear before the Commission

at its office in Muskogee, Indian Territory, with two witnesses who know the date of his death, for the purpose of being examined under

oath.

Respectfully,

Commissioner in Charge.

A Yes sir.

Q You want to come into the Chickasaw country? A Yes sir.
Q Have you any other children besides these two? A No sir.
Q Have either of these girls got any children? A The oldest

one had a baby but it died.

Q Now the only ones that want to be enrolled out of this family

in this woman and these two girls?

A. (By interpreter) Yes sir, but I want to see if I am on the

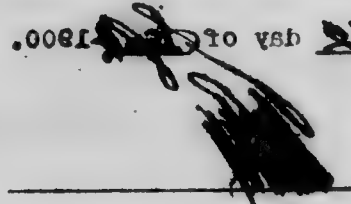
rolls as a Freedman.

Kate De Bord, having been first duly sworn, upon her oath
states, that as stenographer to the Commission to the Five Civil-

ized Tribes, she reported in full all proceedings had in the
above entitled cause, on the 6th day of September, 1900, and that
the above and foregoing is a full, true and correct transcript
of stenographic notes, of said proceeding on said date.

Kate De Bord

Subscribed and sworn to before me this 12 day of Sept 1900.



Acting Chairman.

— Louisa Chief —

Q Did Tom Anderson, the brother of these two girls, come from the Chickasaw Nation to the Creek Nation at the same time the rest of these people did? A Yes sir.

The names of Irene Chief, Thomas Anderson, Zino Anderson and Lottie Anderson, appear upon page 45, Pontotoc County, 1885 Census Roll of the Chickasaw Nation. The Thomas above referred to has been identified by the Commission as having been listed for enrollment on Chickasaw roll card, Field No. 1145. Irene Chief and Zino and Lottie Anderson, above referred to, having been listed for enrollment by the Commission as Chickasaws. The name of Thomas Anderson, Leina Anderson, Scokey Anderson and Tom Anderson appear upon the 1885 authenticated roll of the Creek Nation.

NOTE: On the original roll the name of Leina appears to be Leina, and the name of Scokey appears to have originally been Lottie. The Thomas Anderson listed upon the Greek roll is marked dead. The names of these parties appear upon the authenticated 1885 Greek roll, have not been enrolled by the Commission.

Q Where do these people (referring to the two girls) want to take their allotment, in the Chickasaw Nation, or in the Creek Nation? A Rather have it in the Creek Nation.

Q Rather taken their allotment in the Creek Nation? A Yes sir.

Q When these two girls got their money in the Creek Nation, did Louisa Chief get money too? A No sir.

Q When did this Thomas Anderson, your son, die? A February, this year.

Q He always lived in the Creek Nation until you came up here? A Yes sir.

Q No application has ever been made for yourself and your two daughters since 1885? A No sir.

Q Do you wish to take your allotment in the Chickasaw Nation?

CR EN 850

CR EN 850

No. 819.

Muskogee, Indian Territory, March 1, 1906.

M. L. Nott,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Secretary of the Interior,
on February 21, 1906, affirmed the decision of the Commissioner to
the Five Civilized Tribes denying the application for the enrollment
of Matilda, deceased, as a citizen by blood of the Creek Nation.
Respectfully,

Acting Commissioner.

En. 619.

Muskogee, Indian Territory, March 1, 1906.

Fannie Hawkins,

Senora, Indian Territory.

Dear Madam:

You are hereby advised that the Secretary of the Interior, on February 21, 1906, affirmed the decision of the Commissioner to the Five Civilized Tribes denying the application for the enrollment of

Mattida, deceased, as a citizen by blood of the Creek Nation.

Respectfully,

Acting Commissioner.

COPY

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

LAND:
5461-1906.

February 12, 1906.

#819

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commissioner to the Five Civilized Tribes dated January 12, 1906, transmitting

the record of the application for enrollment as a citizen by blood of the Creek Nation, of Matilda, deceased.

January 12, 1906 the Commissioner decided adversely

to the application.

The record shows that Matilda died in the month of

February, 1899.

In view of the record and of Section 28 of the Act of

March 1, 1901 (31 Stat., 861) the approval of the Commissioner's

decision adverse to the application is recommended.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

MM

C

Cr. En. #819

C.R.W.

LHB

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

February 21, 1906.

I.T.D. 2534-1906.

L.R.S.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

January 13, 1906, you transmitted the record in the matter
of the application for the enrollment of Matilda, deceased, as
a citizen by blood of the Creek Nation.

Reporting February 12, 1906, the Indian Office recommended

that your decision, adverse to the applicant, be approved. A

copy of its letter is inclosed.

The Department concurs in said recommendation, and your

decision dated January 12, 1906, is hereby affirmed.

Respectfully,

(Signed) Thos Ryan
First Assistant Secretary.

I inclose.

En. 514

Memorandum, Indian Territory, January 12, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Matilda, deceased, as a citizen by blood of the Creek Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated January 12, 1906.

Respectfully,

Commissioner.

Through the

Commissioner of Indian Affairs.

AG-22

En. 814

Muskegoe, Indian Territory, January 13, 1906.

M. I. Mott,

Attorney for Greek Nation,

Muskegoe, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Matilda, deceased, as a citizen by blood of the Greek Nation. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

AD-21

En. 814

Muskegon, Indian Territory, January 13, 1906.

Fannie Hawkins,

Seneca, Indian Territory.

Dear Madam:

There is herewith enclosed one copy of the decision

of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of your sister, Mattie, deceased, as a citizen by blood of the Creek Nation, denying said application.

The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

AG-20

811

Henrietta, Indian Territory, July 5, 1905.

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

There is enclosed herewith testimony in the matter of the appli-
cation for enrollment of Matilda, deceased, Rose Fixico, deceased,
and Sunday, deceased, as citizens by blood of the Creek Nation, to-
gether with copies of testimony heretofore taken in said cases. I am
unable to secure further evidence.

Respectfully,

Wm. H. Hays
Clerk in Charge Creek Field Party.

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Possy, Alex,
Henrietta, I.T.,
Creek Nation,
July 5, 1903.

Testimony in re
application for enrollment
of child of deceased, as
member of the Creek Nation.

GREEN EMBROIDERED

Alta Ross

8813

D. C. 77.

Muskogee, Indian Territory, January 29, 1904.

Alex Posey,

Muskogee, Indian Territory.

Dear Sir:

The Commission has on file in its office an affidavit relative to the death of Matilda, who, it is claimed, is entitled to

enrollment as a citizen of the Creek Nation. It is desired that

further evidence be submitted in the case.

It is therefore required that two witnesses who know the

date of the death of said Matilda appear before the Commission at Muskogee, Indian Territory, for the purpose of being examined under

oath.

Respectfully,

Commissioner in Charge.

In the matter of the application for the enrollment of
Natlida, deceased, as a citizen by blood of the Greek Nation.

The evidence shows that said Matilda, deceased, died in the month of February, 1899.

for her enrollment as such is accordingly denied. The application as a citizen by blood of the Greek Nation, and the authority of law for the enrollment of said Matilda, deceased, is, therefore, ordered and adjudged that there is no

08-7050188-0000

Markoses, Indian Territory,

SECRET

land office because I never made any note of it, but by reason of events which followed I am positive that she died before the opening of the land office.

Q Do you know whether or not a record was made of her death? A I know of no record that was made of Matilda's death.

Q Were you present at her burial? A Yes, sir, I bore the expenses of her funeral. She was buried at the Pink Hawkins Grave yard.

Q Do you know Fannie Hawkins? A I do not know her by the name of Fannie Hawkins. She was of the Hawkins family but I know her simply as Fannie.

Q Did you know her son Rose Pickens? A I did not. He had died before I moved to Matilda's place.

Q How long had he been dead when you moved on Matilda's place? A I understand that he died during the previous year.

Q What year was that? A That would have been 1898. After moving into Matilda's cabin I was told that Fannie's son, Rose, had died on the porch of said cabin and those who were inclined to be superstitious advised me not to sleep on the porch. I understood that in the cabin, however, I disregarded the advice. I understood that he had consumption and that disipation and night-riding (going long journeys during the night) had hastened his death. According to neighborhood talk, having returned from a journey, he went to sleep out on the porch and died there during the night.

Q Do you know about how old he was at the time he died? A He was a young man.

Q What relation was he to Matilda? A He was Matilda's nephew.

Q Did you know a child of Matilda's named Sunday? A I did not.

Q Did she have such a child at the time you moved on her place? A She did not. She had only a girl, named Vinita.

Q Who comprised Matilda's household at the time you took charge of her place? A Herself and a daughter, Vinita, were the only ones I know.

Q Who comprised the family of Fannie? A Herself and her son, Louis, were the only members so far as I know.

This testimony in made part of the record in Creek Enrolment Case, No. 818, and A.113.

-----000000000000-----

I, D. G. Skaggs, on oath state that the above and foregoing is a full and true transcript of my stenographic notes as taken in said case on said date.

Subscribed and sworn to before me this 17th day of July 1905.

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Hempstead, I. T., July 3, 1908.

In the matter of the application for the enrollment of Matilda,
deceased, as a citizen by blood of the Greek Nation.
GEORGE R. HALL, being duly sworn, testified as follows:

BY COMMISSION:

Q What is your name? A George R. Hall.
Q How old are you? A Forty-years old.
Q What is your post office address? A Hempstead.
Q Are you a citizen of the Greek Nation? A No, sir, I am a citizen
of the United States, but a resident of the Greek Nation.
Q What is your present occupation? A Publisher.
Q How long have you lived in the Greek Nation? A Since the 27th
day of September, 1888.
Q Did you know a Greek Indian woman named Matilda? A I did.
Q She is dead is she? A Yes, sir.
Q Do you know when she died? A Just about, Yes, sir.
Q Give the date of her death as near as you can? A It was about
the last day of February, 1899.
Q What circumstances fix it in your mind that she died about that
time? A I was teaching at Goweta during the Fall of 1898, left there
after the Christmas holidays, coming home in late January, and moved
to Matilda's cabin the middle of February. Matilda was sick before
we moved but was convalescing and instructed us to take possession of
the cabin, that she might be well in a few days. I found her dead-
tute of means and supplied her wants in the way of medicine and
attention the best I could. I do not think she was sick more than
two weeks and I am rather of the opinion that ten days was about the
length of time.
Q What was the nature of her illness? A Pneumonia, with a possible
touch of meningitis, as it was the winter when an epidemic of menin-
gitis swept over the country and killed many people. She died about
ten days after I moved into her cabin.
Q How long was she ill when you moved to her house?
Only two or three days. I could not say positively how many days.
She had just taken down.
Q About how old was she at the time of her death? A It is very hard
difficult to guess at one's age but I would suppose that she was
between thirty and thirty-five.
Q Was she a Greek full-blood? A I regarded her so.
Q Do you know to what Greek town she belonged? A I am not positive
but I believe she belonged to Okonivy.
Q Had she any name other than Matilda? A Her late husband's name
was Lake Bearhead and they sometimes called her Matilda Lake.
Q Do you remember the circumstance of the opening of the Greek land
Office? A Yes, sir, in a general way.
Q Did Matilda die before or after the opening of the Greek land
Office? A Before.
Q How long before? A I couldn't say what length of time elapsed.
I remember however that after her death there was talk of enrolling
her girl.
Q What was the name of her girl? A Vinita.
Q When was Vinita enrolled? A During the Fall of 1899.
Q By whom was she enrolled? A Through my efforts her name was
placed on the roll. Her father, being an Indian, did not desire
her enrolled.
Q You are positive are you that Matilda died before the opening of
the land office? A I am not clear as to the date of the opening of the

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Seneca, I. T., June 22, 1908.

In the matter of the application for the enrollment of Matilda,
deceased, as a citizen by blood of the Creek Nation:
YANNIE HAWKINS, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

BY COMMISSION:
Q What is your name? A Fannie Hawkins.
Q How old are you? A About forty-five.
Q What is your post office address? A Seneca.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Okmulgee.
Q Did you know a member of your town named Matilda? A Yes, sir, I
attended on her during her last illness.
Q What relation was she to you? A She was my sister.
Q Do you know when she died? A She died in the year the land office
opened but quite a while after people began filling upon their allot-
ments. We had been advised frequently to take our allotments but had
not done so at the time she died.
Q Do you know in what month she died? A She died in March. She had
just rented her place to George Hall and moved out of her home at
the time of her death.
Q Are you positive that she died in the year the land office opened?
A No, sir, it may have been a year after people began filling.
Q Was there a record made of her death? A There was a record writ-
ten on the head-board of her grave but I think it has been destroyed
by fire.
Q Where is she buried? A At the Pink Hawkins burial ground on
Deep Fork.
Q Would George Hall know when Matilda died? A He out to know the
exact date because he saw her frequently during her illness and bought
medicine for her.

-----0000000000-----

I, D. C. Shaggs, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 17 day of JUL 17 1908.

[Signature]
Notary Public.

A. 77.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Wesley, I. T., November 8, 1904.

In the matter of the application for the enrollment of Matilda
as a citizen by blood of the Creek Nation.

JIM HILL, being duly sworn, testified as follows:

Partly through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Jim Hill.
Q How old are you? A About forty-three.
Q What is your post office address? A Hannah.
Q Did you know Matilda? A I know her very well.
Q To what town in the Creek Nation did she belong? A Okmulgee.
Q Is she living or dead? A She is dead.
Q How long has she been dead? A I cannot state positively just
when she died but I am quite certain that she died after the opening
of the Creek Land Office.
Q How long after? A I think about a year after the land office
opened.
Q What fixes it in your mind that she died a year after the land
office opened? A I was not living at my home at that time but was
staying with my sister who lived about three and a half miles from
Matilda's home. Matilda died during the time that I was staying at
my sister's and that was during the year the Creek Land Office opened.
Q Where did you sister live at that time? A Between two and a half
and three miles northeast of Seneca.
Q What is her name? A Mary Tiger, the wife of Jackson Tiger.
Q What time of the year did Matilda die? A I think it was the next
spring after the land office opened--I know it was in 1900.

-----00000000-----

I, D. C. Shreve, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
examination on said date.

Subscribed and sworn to before me this 16 day of November, 1904.

D. C. Shreve
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE LIVE CIVILIZED TRIBES.
OKMULGEE, I. T. OCTOBER 31, 1904.

him the matter of the application for the enrollment of Matilda
as a citizen by blood of the Creek Nation.

Wiley Buckner being duly sworn testified as follows through Alsey
Poney, official interpreter:

Examination by the Commission:

Q What is your name? A Wiley Buckner.
Q How old are you? A About 23.
Q What is your post office address? A Hannam.
Q Do you know Matilda? A Yes sir.
Q Is she dead? A Yes sir.
Q Do you know when she died? A I am pretty certain she was not living
at the time the Creek land office opened.
Q Was she a full-blood Creek? A Yes, sir.
Q Are you prepared to state positively that she was not living when
the Creek land office opened? A Yes, sir.
Q Is she a sister of Yanner? A Yes, sir.

-----O:-----

I, D. C. Shanks, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

[Signature]

Subscribed and sworn to before me this 25th day of November, 1904.

[Signature]
Notary Public.

CR EN 81d

CR EN 81d

or 818

Muskogee, Indian Territory, November 22, 1905.

Honorable Commissioner,

Wichita, Indian Territory.

Dear Sir:

You are hereby advised that under date of November 17, 1905, the Secretary of the Interior affirmed the decision of the Commissioner to the Five Civilized Tribes, dated October 12, 1905, denying the application made by you for the enrollment of Rose Mixico as a citizen by blood of the Creek Nation.

Respectfully,

Noting Commissioner.

Or 518

Manakooe, Indian Territory, November 25, 1905.

Mr. L. Mott,

Attorney for the Creek Nation,
Manakooe, Indian Territory.

Sir:

You are hereby advised that under date of November 17, 1905,
the Secretary of the Interior affirmed the decision of the Com-
missioner to the Five Civilized Tribes, dated October 12, 1905,
denying the application for the enrollment of Ross Hicks as a
citizen by blood of the Creek Nation.
Respectfully,

Acting Commissioner.

Refer in reply to
the following
Land
88795-1905

3 Enclosed.
(copy)

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs.

WASHINGTON, Nov. 10, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from the Commissioner

to the Five Civilized Tribes, dated October 18, 1905, transmitting
the record on the application for enrollment as a citizen by blood
of the Creek Nation, of Rose Fixico, deceased.

October 18, 1905, the Commissioner decided adversely to the

application.

The record shows that Rose Fixico died prior to April 1,

1899.

In view of the record, the approval of the Commissioner's

decision adverse to the application, is recommended.

Very respectfully,

C. F. LAMARCA,

Acting Commissioner.

L.M.M. - 11.

GR
LHM
LRS

(copy)

D.C. 3333-1903
I.T.D. 14310-1903
En 818

DEPARTMENT OF THE INTERIOR

WASHINGTON, November 17, 1903

Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

October 18, 1903, you transmitted the record in the matter
of the application for the enrollment of Rose Fixico, deceased,
as a citizen by blood of the Creek Nation, including your decision
of October 12, 1903, rejecting said application.
Reporting November 10, 1903, the Indian Office recommends
that your decision be approved. A copy of its letter is inclosed.
The Department concurs in said recommendation, and your
decision is hereby affirmed.

Respectfully,

(signed) THOMAS RYAN,
First Assistant Secretary.

I inclose.

En. 818

Muskogee, Indian Territory, October 13, 1908.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for the enrollment of Kose Wixico, deceased, as a citizen by blood of the Creek Nation, including the decision of the Commissioner to the Five Civilized Tribes, dated October 12, 1908.

Respectfully,

Commissioner.

Through the

Commissioner of Indian Affairs.

AG-39

Kn.818

Muskogee, Indian Territory, October 13, 1902.

W. L. Wolf,

Attorney for Creek Nation,

Muskogee, Indian Territory.

Sir:

There is herewith enclosed one copy of the decision of the Commissioner to the Five Civilized Tribes in the matter of the application for the enrollment of Rose Pixico, deceased, as a citizen by blood of the Creek Nation. The decision, with a copy of the proceedings had in the case, is this day transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as this office is informed of the same.

Respectfully,

Commissioner.

AG-28

En. 618.

Muskogee, Indian Territory, October 13, 1908.

Honorable Mr. Thompson,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed one copy of the decision

of the Commissioner to the Five Civilized Tribes in the
matter of the application for the enrollment of Kone Pickett,
deceased, as a citizen by blood of the Creek Nation, denying
said application.

The decision, with a copy of the proceedings had in
the case, is this day transmitted to the Secretary of the
Interior for his review and decision. The final decision of
the Secretary will be made known to you as soon as this office
is informed of the same.

Respectfully,

Commissioner.

AG-27

6788

REFER IN REPLY TO THE FOLLOWING

COMMISSION TO THE FIVE CIVILIZED TRIBES
DEPARTMENT OF THE INTERIOR

D. C. 37.

COMMISSIONERS
TAMM BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON I. ALEXANDER,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 25, 1904.

Honorable Mr. Phillips,

Senora, Indian Territory.

Dear Sir:


There is on file with the Commission an affidavit executed by you relative to the death of Kase Flixco, who, it is claimed, is entitled to enrollment as a citizen of the Creek Nation. It is de-

sired that further evidence be submitted in the case.

It is requested that two persons who know the date of the death of said Kase Flixco appear before the Commission at its office in Muskogee, Indian Territory, for the purpose of being examined

under oath.

Respectfully,



Commissioner in Charge.

1 D.C.

No. 818.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of
Kose Wixico, deceased, as a citizen by blood of the Creek
Nation.

D E C I S I O N.

The record in this case shows that on September 2, 1901,
the affidavit of Henne Wixico relative to the death of
Kose Wixico was filed with the Commissioner to the Five Civil-
ized Tribes at Muskogee, Indian Territory, which said affidavit
is considered as an application for the enrollment of said
Kose Wixico, deceased, as a citizen by blood of the Creek
Nation.

Further proceedings were had October 21, 1904, and
June 22, 1905.
Copies of testimony taken June 22, 1905 and July 2,
1905, in the matter of the application for the enrollment
of Wixico as a citizen by blood of the Creek Nation (Greek No.
819) are made part of the record herein.
The evidence shows that said Kose Wixico, deceased,
died prior to April 1, 1899.
It is, therefore, ordered and adjudged that there is
no authority of law for the enrollment of said Kose Wixico,
deceased, as a citizen by blood of the Creek Nation and
the application for his enrollment as such is accordingly
denied.

Commissioner.

Muskogee, Indian Territory,

OCT 12 1905

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Senora, I. T., June 22, 1902.

In the matter of the application for the enrollment of Matilda,
deceased, as a citizen by blood of the Creek Nation?
FANNIE HAWKINS, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

BY COMMISSION:
Q What is your name? A Fannie Hawkins.
Q How old are you? A About forty-five.
Q What is your post office address? A Senora.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Okmulgee.
Q Did you know a member of your town named Matilda? A Yes, sir, I
attended on her during her last illness.
Q What relation was she to you? A She was my sister.
Q Do you know when she died? A She died in the year the land office
opened but quite a while after people began filing upon their allot-
ments. We had been advised frequently to take our allotments but had
not done so at the time she died.
Q Do you know in what month and died? A She died in March. She had
just rented her place to George Hall and moved out of her house at
the time of her death.
Q Are you positive that she died in the year the land office opened?
A No, sir, it may have been a year after people began filing.
Q Was there a record made of her death? A There was a record writ-
ten on the head-board of her grave but I think it has been destroyed
by fire.
Q Where is she buried? A At the Pink Hawkins burial ground on
Deep Fork.
Q Would George Hall know when Matilda died? A He out to know the
exact date because he saw her frequently during her illness and bought
medicine for her.

-----0000000000-----

I, D. C. Shaffer, on oath state that the above and foregoing is a
full and true transcript of my stenographic notes as taken in said
cause on said date.

Subscribed and sworn to before me this 10th day of JULY, 1902.

Notary Public
Notary Public.

No. 818.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Seneca, I. T., June 28, 1908.

In the matter of the application for the enrollment of Kose
Tixico, deceased, as a citizen by blood of the Creek Nation.
YAMWIE HAWKINS, being duly sworn, testified as follows:

Through Alex Posey Official Interpreter:

BY COMMISSION:

Q What is your name? A Yamwie Hawkins.
Q How old are you? A About forty-five.
Q What is your post office address? A Seneca.
Q Are you a citizen of the Creek Nation? A Yes, sir.
Q To what town do you belong? A Okmulgee.
Q Did you have a child named Kose Tixico? A Yes, sir. He was a
young man at the time of his death.
Q About how old was he? A He was probably something over twenty
years old.
Q Who was his father? A Unknown.
Q When did Kose die? A In August.
Q In what year? A Preceding the year in which my sister, Matilda,
died.

Reference is here made to testimony taken this day in Creek
Enrollment Case No. 818.

Q How long had he been dead at the time your sister, Matilda, died?
A Kose died in the Fall of the year and Matilda died in the follow-
ing Spring.
Q Did he die before or after the opening of the Creek Land Office?
A He died afterwards.
Q Are you positive? A Yes, sir.

-----00000000-----

I, D. G. Skaggs, on oath state that the above and foregoing is a
true and true transcript of my stenographic notes as taken in said
case on said date.

Subscribed and sworn to before me this 10th day of July, 1908.

[Signature]
Notary Public.

818 #

A. 27.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Oklahoma, I. T., October 31, 1904.

In the matter of the application for the enrollment of Rose
Wixico, deceased, as a citizen by blood of the Creek Nation.
WILEY BUCKNER, being duly sworn, testified as follows:
Through Alex Posey Official Interpreter:

By Commission:
Q What is your name? A Wiley Buckner.
Q How old are you? A About forty-five.
Q What is your post office address? A Hannan.
Q Are you Town King of Okmulgee Town? A Yes, sir.
Q Did you know Rose Wixico? A Yes, sir.
Q Was he a full-blood Creek? A Yes, sir.
Q Did he live in the Creek Nation all his life? A Yes, sir.
Q He is dead is he? A Yes, sir.
Q Do you know when he died? A I only know that he is dead and can
not say when he died or how long he has been dead.
Q Do you know whether he was dead or not when the Creek Land Office
opened? A About that time but I cannot swear to it.
Q Who would be likely to give us information about him? A His
mother was here Saturday.
Q What is his mother's name? A Fannie.
Q What is her post office address? A Henryetta. Rose Wixico has
a brother named Louis Lowe.

-----:0:-----

I, D. C. Skaggs, on oath state that the above and foregoing is
a full and true transcript of my stenographic notes as taken in said
cause on said date.

[Signature]

Subscribed and sworn to before me this 5th day of November, 1904.

[Signature]
Notary Public

CR EN 818

CR EN 818

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APPLICATIONS FOR ENROLLMENT OF THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

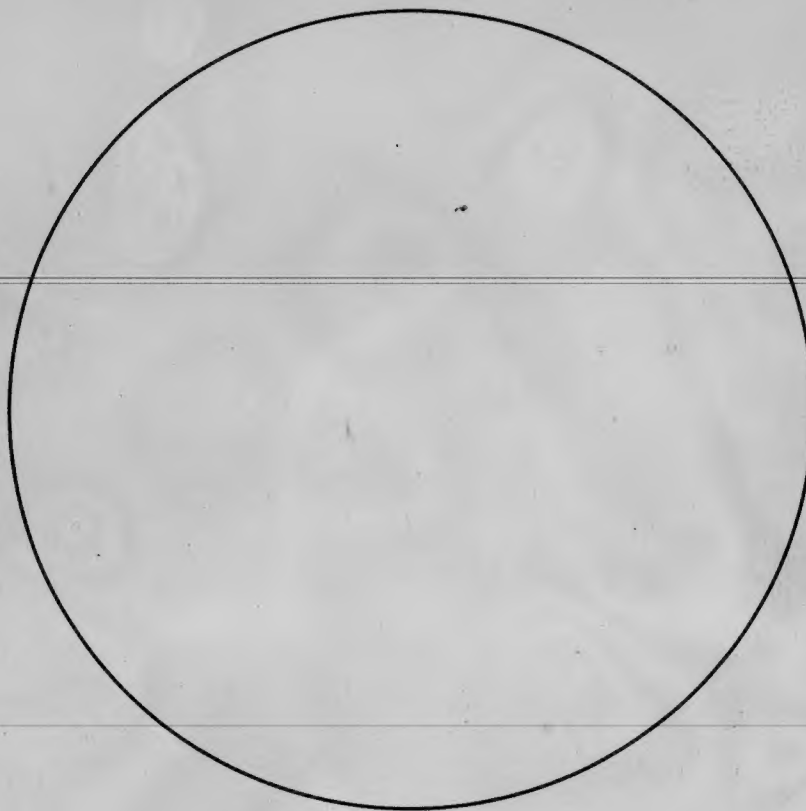
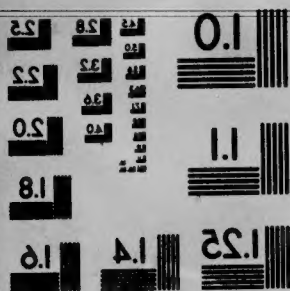
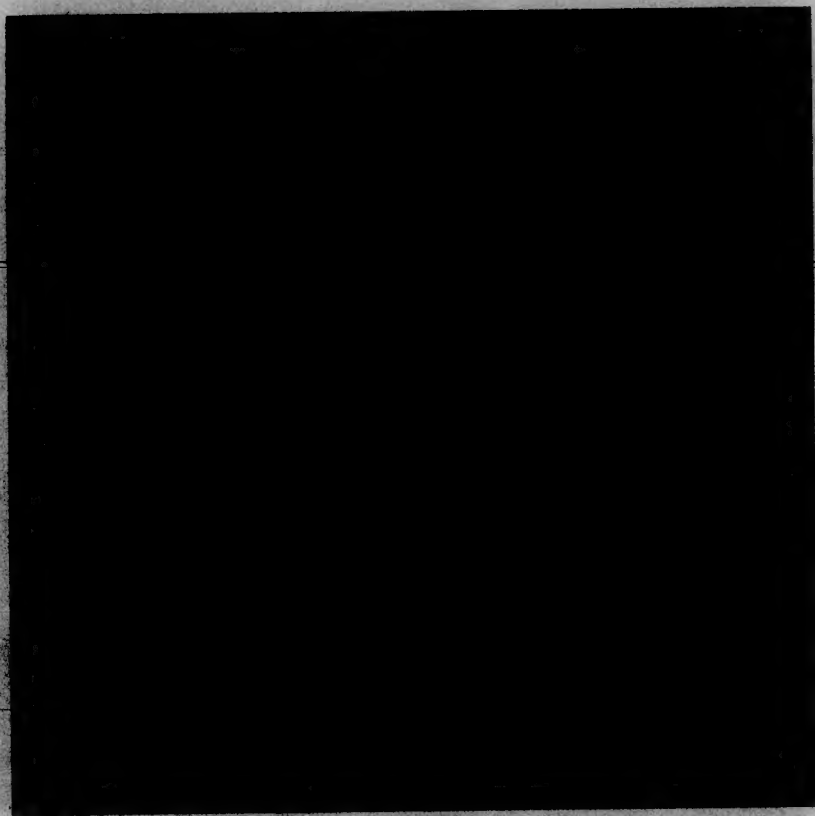
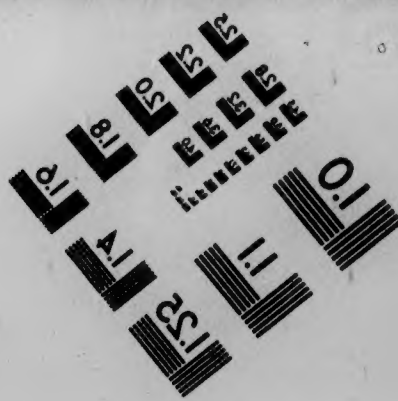
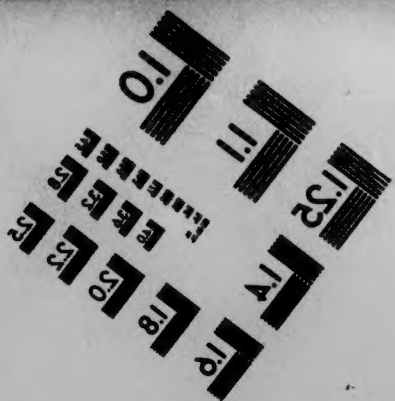
1898 - 1914

ROLL 410

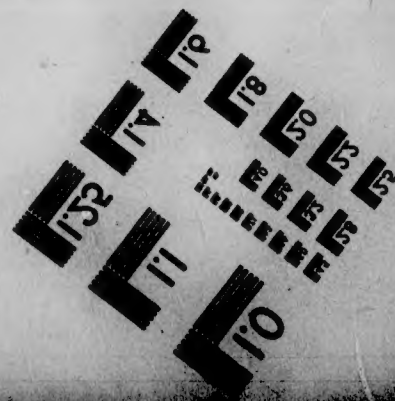
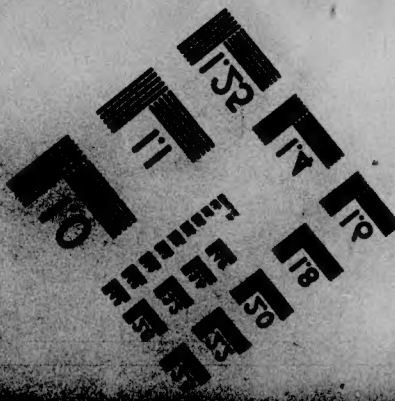
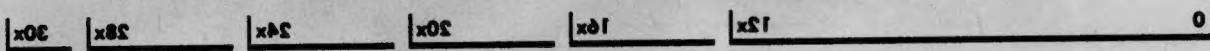
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